

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: January 24, 2011
Department: City Manager's Office
www.eugene-or.gov

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

ISSUE STATEMENT

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

SUGGESTED MOTION

Move to approve the minutes of the November 8, 2010, Work Session, November 8, 2010 Regular Meeting, November 10, 2010, Work Session, November 15, 2010, Public Hearing, November 17, 2010, Work Session, November 22, 2010, Joint Meeting of the Eugene City Council and Eugene Planning Commission, December 8, 2010, Work Session, and December 13, 2010, Regular Meeting.

ATTACHMENTS

- A. November 8, 2010, Work Session
- B. November 8, 2010, Regular Meeting
- C. November 10, 2010, Work Session
- D. November 15, 2010, Public Hearing
- E. November 17, 2010, Work Session
- F. November 22, 2010, Joint Meeting of the Eugene City Council and Eugene Planning Commission
- G. December 8, 2010, Work Session
- H. December 13, 2010, Regular Meeting

FOR MORE INFORMATION

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MINUTES

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

November 8, 2010
 5:30 p.m.

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

Her Honor Mayor Kitty Piercy called the November 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 reported that she met separately with three citizen groups to talk about the proposed West Eugene EmX route; had attended a production of *West Side Story* at South Eugene High School, which she commended; had attended the 5th Project Green Light rally and art show, which promoted awareness of the needs of homeless youth; had attended a University of Oregon class taught by Otto Poticha that focused on what a new city hall could be like, and she had encouraged Mr. Poticha to share the results with the council; had attended the recent Arts and Business Alliance breakfast; had attended a rail meeting with Bruce Agnew of the Cascadia Institute; had attended the “Eugene Local and Green” event sponsored by the Neighborhood Leaders Council; and had attended the dedication of St. Vincent de Paul’s affordable housing project, the Lamb Building, which included four units dedicated to veterans.

Mr. Clark reported that he had accompanied Mayor Piercy to a Mayor’s One-on-One event at the Market of Choice on Green Acres Road and it had been a good opportunity to connect with residents. He reported on an October 28 Cal Young neighborhood meeting also attended by Mr. Poling, where those present heard from Lane County Jail Commandant Doug Hooley about the challenges of his work. Mr. Clark and Ms. Ortiz had also attended a November 4 Santa Clara Community Organization (SCCO) meeting where neighbors discussed approaching the City about creating a refinement plan for that neighborhood. Neighbors also discussed representation of the area as it related to their concerns about increased neighborhood density.

Recognizing that Veterans Day was on November 11, Mr. Poling thanked the veterans who served, particularly those veterans just returning from Afghanistan. He noted that November 10 was the anniversary of the United States Marine Corps and he wished the corps a happy birthday. Mr. Poling reported that he and Mr. Pryor attended a joint meeting of the Lane Transit District (LTD) EmX Steering Committee and the LTD Board of Directors to discuss the West Eugene EmX alternatives analysis. Representatives of other groups were also present. Mr. Poling anticipated the committee would meet again on December 1 after members had time to review the analysis and that it would eventually make a recommendation to the board. He anticipated the council would provide him with feedback on the topic prior to that time.

Mr. Brown reported he had been reviewing the West Eugene EmX alternatives analysis.

Ms. Ortiz reported that the River Road and Santa Clara neighborhood organizations had applied for a Strategic Neighborhood Assessment and Planning (SNAP) grant. She wished the groups success in their efforts. She had attended the last meeting of the Active Bethel Citizens (ABC) where residents heard a presentation from staff of the Eugene Water & Electric Board (EWEB) about EWEB's new headquarters. She noted that the ABC had also applied for a SNAP grant.

Ms. Ortiz thanked the Willamalane Parks and Recreation District for hosting the election night results event and suggested the event could go back and forth from Springfield to Eugene.

Ms. Ortiz said she had attended EWEB's luncheon in celebration of the utility's 100-year anniversary. She also attended the recent Lane Regional Air Protection Agency (LRAPA) Board of Directors' meeting, where the board discussed its concerns about the J. H. Baxter permit reapplication.

Ms. Ortiz reported she was serving on the Joint Locally Preferred Alternative Committee, which was reviewing the West Eugene EmX alternatives analysis. She anticipated the committee would meet several times before completing its work due to the complexity of the task.

Ms. Ortiz said she was asked to ensure the City Council knew that Linda Hamilton and Juan Carlos Valle were leaders of the group that was examining the issue of Disproportionate Minority Contact.

Mr. Pryor commended the new Lamb Building and emphasized the capacity it added to the low-income housing system. He reported that he was actively involved in meetings regarding the proposed West Eugene EmX route, and noted that the alternatives analysis was available on the LTD Web site. He said the West Eugene Collaborative had met to discuss the topic and while members did not want to take an advocacy position, they wanted to know what the collaborative could do to facilitate discussion. He emphasized the importance of framing EmX in the larger context of transportation and land use, and advocated for a fuller discussion with LTD regarding what the City envisioned would happen in West Eugene.

Ms. Taylor announced the November 9 general meeting of the South Eugene Neighbors at the Hilyard Center. She said that residents of Crest Drive had contacted her with concerns that smooth road surfaces in some places of the Crest Drive improvement project had created a safety hazard because they enabled people to drive faster. She hoped that the problems were addressed before something bad happened.

Ms. Taylor said she attended a City Club meeting where Ron Chase of Sponsors spoke and regretted to hear Mr. Chase was retiring.

Ms. Taylor reported that representatives of Smith Dawson, the City's lobbying firm, recommended the City Council pre-approve grant applications to avoid any delays created by the Council Committee on Intergovernmental Relations (CCIGR) process. She endorsed the concept and anticipated the CCIGR would discuss it on November 17.

Mr. Zelenka arrived.

City Manager Jon Ruiz also thanked the community's veterans and veterans working in the City organization and noted that it was the US Marine Corps' 235th anniversary, and that the United States Army also celebrated its 235th anniversary this year.

Mr. Clark said a neighbor at the Cal Young neighborhood association meeting shared a concern about ATT's application for a 75-foot cell tower on or near the Oakway Golf Course. He asked the manager to have staff contact him with information about the application. Mr. Poling asked to be copied on the information.

Mayor Piercy announced the November 9 "Lets Talk Transit" event occurring at 7:30 a.m. at the Eugene Hilton Hotel.

**B. WORK SESSION:
Sister City Committee Reports**

The council was joined by City Manager's Office Division Manager Keli Osborn, who introduced John Simpson of the Eugene Kakegawa Sister City Committee, Dennis Ramsey from the Eugene Katmandu Sister City Committee, Matt Ellsworth from the Eugene Chinju Sister City Committee, and Galena Grotso from the Eugene Irkutsk Sister City Committee. Ki-Won Rhew and Cindy Hale of the Chinju Sister City Committee were also present.

Ms. Osborn provided a brief history of the Sister Cities Program, reporting that the Chinju sister city relationship was established in 1961, the Katmandu relationship was established in 1975, the Kakegawa relationship in 1979, and the Chinju relationship in 1988. She noted the many sister city delegations that had occurred and the activities the sister city committees supported. She said that the City's Web site included information about Eugene's sister cities as well as links to the Web sites of the sister city committees.

Each sister city committee representative provided information about the history of their organization and current committee activities and delegation visits.

Mayor Piercy thanked the sister city committee representatives and emphasized the importance and value of sister city relationships. She said such relationships allowed students, performers, and every day citizens to travel back and forth and build friendships across the world. She felt fortunate that Eugene had such long-term sister city relationships. Mayor Piercy suggested that the City hold a celebratory event to heighten citizen awareness of the program.

Mayor Piercy called for council questions and comments.

Mr. Pryor recalled his own positive experience as a sister city delegate. He termed the sister city committees the "keepers of the flame" and commended them for maintaining Eugene's sister city relationships in the face of economic challenge. Mr. Pryor hoped that in the future the City could be more supportive of the program. He wanted to participate in another delegation both to demonstrate the council's support for the program and for the sake of the experience. He thanked the sister city committee representatives for their work.

Mayor Piercy suggested that if even if one could not participate in a delegation, technology such as Skype permitted people in different places to communicate. Mr. Simpson suggested there was also value in single-person delegations.

Ms. Taylor said the City owed the representatives a debt of gratitude. She did not think the City had done enough to foster the sister city relationships and instead had depended on volunteers to do so. She believed her experience in Katmandu demonstrated that Eugene's sister cities appreciated their relationships with Eugene. She said the program enriched the community and was also its contribution to world peace. She thanked the sister city committee representatives.

Ms. Ortiz said she had firsthand knowledge of the educational value of the program through her children's experience with the Irkutsk Sister City Committee while students at Fairfield Elementary School, and she thanked the sister city committee representatives for their efforts.

Mr. Zelenka also thanked the sister city committee representatives. He said such programs made the world a smaller place by bringing people together and bridging cultural divides. He shared in Mr. Pryor's hope that the City could offer more financial support to the program in the future.

Mr. Ramsey shared a proposal for local government officials to share their knowledge with their counterparts in Katmandu.

**C. WORK SESSION:
Ridgeline Acquisition Proposal from Arlie & Company**

The council was joined by Parks Planning Manager Neil Björklund, who provided a brief PowerPoint presentation highlighting the details of a proposal to acquire a property located along the ridgeline in south Eugene owned by Arlie & Company.

Ms. Ortiz was not opposed to the purchase but was not convinced of its wisdom. She questioned if it would be better if the City waited for Arlie & Company to go through the bankruptcy process first. Mr. Björklund did not know. He said the only sure information the City had was the offer on the table. Ms. Ortiz asked if the property had been evaluated by a third party. Mr. Björklund said Arlie & Company provided a 2008 appraisal.

Ms. Ortiz acknowledged the City had the money to purchase the site. However, she was concerned about the lack of parks in the Santa Clara area and the fact the City had made promises to Santa Clara residents it had been unable to keep. She was also concerned about the ongoing maintenance costs for a new park.

Mr. Clark perceived the proposal as an opportunity to buy parkland that could benefit future generations at a very low price but he shared many of Ms. Ortiz's concerns. He determined from Mr. Medlin that \$1 million had been spent to acquire the first 20 acres of the Santa Clara Community Park. Mr. Clark said the City had been clear about its intent to purchase land for a community park when the council referred the 2006 Parks and Open Space (POS) measure to the voters. He did not want to threaten the credibility the City had built with the streets maintenance measure. Mr. Clark wanted to ensure the City held aside at least \$1.25 million of the money from the POS bond to acquire the remaining 20 acres needed to complete the Santa Clara community park.

Mr. Clark was opposed to using General Fund capital dollars for the purchase at a time when the economy was down.

Responding to a question from Mr. Brown about the price differential between the south and north parcels, Mr. Björklund said he had not reviewed the appraisal in detail, and speculated the price difference was based on the property's proximity to Lane Community College and the potential the land could be used for residential development. Mr. Brown asked how the property's F-1 (Non-impacted Forest Lands) zoning status affected that potential. Mr. Björklund believed it was possible the property could be rezoned. Mr. Brown asked how much Lane County was collecting in taxes from the property owner. Mr. Björklund did not know.

Mr. Brown expressed concern that if the City bought the land and took it off the tax rolls, it would negatively impact Lane County government. He suggested the property was also a candidate for inclusion in an expanded urban growth boundary (UGB). He was concerned about removing the property from that discussion without more analysis.

Mr. Pryor believed the City could purchase the property and still have money left over for a community park in Santa Clara. He said the question was whether the purchase was a worthwhile investment. He did not know but thought the acquisition was worth examining at the proposed price.

Mr. Zelenka agreed the purchase was a good deal and suggested the council also needed to think about what would happen to the land if the City did not buy it. He agreed with Mr. Clark about the need for a community park in Santa Clara and the importance of reserving money for that purpose. Mr. Zelenka also noted the City had committed to the acquisition of several neighborhood parks through the POS measure. Mr. Björklund indicated that goal had been the most challenging to achieve. The City sought out four-acre sites with good street access owned by a willing seller, and to date had found no sites meeting those criteria, forcing staff to consider smaller sites. He said the City had acquired one neighborhood park of about an acre in size. Mr. Björklund anticipated the City would start to purchase lots with houses on them to combine for a park in the future. He was unsure the City would ever be able to get neighborhood parks in all the areas identified in the materials associated with the POS measure.

Mr. Zelenka speculated it would take decades to achieve the POS measure's goal for neighborhood parks. He suggested the tradeoff before the council was the goal for neighborhood parks, which could take a long time to achieve, and the proposed land purchase.

At the request of Mr. Zelenka, Mr. Björklund reviewed the council's options regarding the City's naming policy.

Mr. Zelenka expressed concern about the long-term maintenance cost of the parcel in question and determined from Mr. Zelenka that no endowment accompanied the property. Mr. Björklund referred the council to the meeting packet, which included projected maintenance costs based on different development scenarios that ranged from \$127,000 to more than \$900,000 annually.

Mr. Poling pointed out that the bond identified south Eugene as an area eligible for bond funding and given the property's location in south Eugene, he did not think purchasing the property would be a misuse of the funds.

Speaking to the naming policy, Mr. Poling noted the many charitable and community activities that Suzanne Arlie was involved with.

Mr. Poling suggested it could be challenging for a private party to rezone and develop the property given its current zoning, and there was a potential it might lie undisturbed for many years, allowing it to serve the function of natural habitat.

Ms. Taylor did not think the City needed to maintain the park if it was left in a natural state. She asked if the City was sure the land would not be available after December 2010. Mr. Björklund did not know.

Responding to a question from Ms. Taylor, Mr. Klein said if the City offered the property owner substantially less money than was under discussion, that figure must be approved by the bankruptcy court. He did not think the naming issue was of concern to the bankruptcy courts.

In response to Ms. Taylor's remarks, Mr. Björklund said that natural areas also required maintenance, although at a lower cost than required for developed parks.

Ms. Ortiz asked if the City had to purchase the land for use as a park or if it could purchase the property and landbank it for another purpose. Mr. Klein said he believed the City could do so, but because the property would be purchased with parks bond money, the City would have to reimburse the bond for the cost.

Mr. Brown reiterated his suggestion that the property could be a good place for UGB expansion, particularly given its proximity to infrastructure and services. Mr. Björklund said under State law, the City must first look to exception lands, and there were several such areas around Eugene. They did not include the property in question. Such lands generally had a level of existing development and infrastructure and were smaller in size than typical rural developments.

Mr. Brown advocated for dropping the 20 acres on the north side of the property because of the higher cost. Parks and Open Space Manager Johnny Medlin explained that staff had negotiated the addition of that acreage, which the City had attempted to purchase when it negotiated the initial ridgeline trail acquisition with the property owners.

Mr. Brown noted that City Attorney Glenn Klein had concluded that the proposal was legal even though the property was not mentioned in the bond measure, and suggested that under that reasoning, the City could purchase Civic Stadium because the bond measure materials mentioned a park in south Eugene that included soccer and baseball fields and a park and ride.

Mayor Piercy did not think that spending money for parkland and open space was the same as buying and fixing buildings.

Mr. Clark suggested the City faced a "take it or leave it deal." He reminded the council that the City missed an opportunity to save money on an earlier south Eugene parks acquisition. He asked how many of the 13 new neighborhood parks mentioned by Mr. Björklund were to be located in north Eugene. Mr. Björklund said many were in north Eugene. Mr. Medlin concurred with a statement by Mr. Clark that the City was challenged in regard to its ability to maintain existing neighborhood parks, let alone new neighborhood parks.

Mr. Clark, seconded by Ms. Taylor, moved to: 1) purchase the approximately 315 acres as shown on Attachment A and as detailed in the letter of intent included as Attachment B, contingent upon the inclusion of \$600,000 donation previously agreed to; 2) use the

proceeds from the 2006 Parks, Athletic Fields, and Preservation of Open Space bond measure to purchase the property; and 3) initiate the public comment period on the proposal to name the park after Suzanne R. Arlie such that there is sufficient time for a final naming decision to allow the acquisition to close on or before December 31, 2010.

Responding to a question from Mr. Zelenka, Mr. Klein confirmed that the \$600,000 donation must be used for parks purposes, and it could be dedicated to a new Santa Clara park if the council chose.

Mr. Zelenka, seconded by Mr. Clark, moved to amend the motion by dedicating the \$600,000 donation to the development of the Santa Clark regional park. The amendment to the motion passed, 6:2, Ms. Taylor and Mr. Brown voting no.

The motion on the amended motion passed unanimously, 8:0.

Mr. Clark, seconded by Mr. Taylor, moved to initiate a public comment period on the Suzanne R. Arlie park naming proposal beginning November 8, 2010, and ending on December 3, 2010, with action to be scheduled on December 13, 2010. The motion passed unanimously, 8:0.

Mayor Piercy adjourned the work session at 7:30 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

November 8, 2010
7:30 p.m.

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

COUNCILORS ABSENT: Jennifer Solomon.

Her Honor Mayor Kitty Piercy called the November 8, 2010, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Carlis Nixon, 1556 Wilson Court, believed it was important to distinguish between bus rapid transit systems and Lane Transit District's proposed EmX system. She questioned how the two systems could be compared. The EmX system had reduced stops and expensive lane reconfigurations; bus rapid transit did not involve expensive construction and did not have reduced stops. Ms. Nixon asked the council to direct LTD to analyze an enhanced system with reduced stops and to determine the costs of providing more stops. She said unlike other communities with which she was familiar, there was no provision for parallel service on EmX routes with reduced stops.

Drix, a resident of the West University Neighborhood (WUN), spoke of the transitory nature of students living in his neighborhood and the challenge of working with a student population. He reported that the WUN had a new neighborhood organization chair person as well as many new neighbors. He commended the Eugene Police Department and noted the recent celebration recognizing Officer Randy Ellis' 40 years of service. He said Officer Ellis was connected and committed to the neighborhood. Drix noted that Veterans Day was approaching and expressed appreciation for the country's veterans. He repeated the five words he offered to every veteran, reporting that he always found them to be acceptable: "Thank you for your service."

Roy Benson, 570 Filmore Street, owned a business on West 11th Avenue and was opposed to the proposed EmX system. He recalled that Councilor Poling had reacted in a sensitive manner to a suggestion offered in testimony at a recent Public Forum that the EmX system would result in the rezoning of property along West 11th Avenue. He said the week after he read Councilor Poling's reply to George Cole's e-mailed apology, the newspaper printed an article about a piece of property on the road that would need to be rezoned. He wondered if Councilor Poling's reaction was because he knew that. He also recalled Councilor Ortiz's remarks about modeling the Eugene system after the system in Bogotá, Columbia, and said he had

done further research and learned that Bogotá had 8.5 million people. He did not think Eugene was anything at all like Bogotá.

Irving Weiner, 88500 Greenhill Road, suggested it was ironic that the small businesses that funded LTD did not have their concerns heard. Instead, the City and LTD were turning a deaf ear. He said West 11th Avenue was a major car route that reached from eastern Oregon to the coast, which was why he located his business there. Businesses on West 11th Avenue were there for the sake of the pass-by traffic. Mr. Weiner said it was hard for small businesses to stay competitive because of the Internet and large corporations who could afford to buy things in volume and sell them for much less. Local companies were able to stay in business because of good service and handy patron parking. Mr. Weiner said now LTD planned to take his parking spaces. While LTD said it would pay for them, he found its approach arrogant. LTD might consider his parking spaces just square footage but his parking places had an actual value for his business, and that was what LTD proposed to take away.

Mr. Weiner believed that running EmX on West 11th Avenue would represent *de facto* rezoning. EmX construction would drive people away and by the time the system was built they would have changed their shopping patterns and the businesses now on West 11th Avenue would be gone.

Bob Johnson, West 26th Avenue, opposed the proposed West Eugene EmX route. He said letters to the editor suggested that those in opposition to EmX were opposed to public transit, but that was not the case. He supported buses but he did not support EmX. Mr. Johnson did not think that EmX was the right approach. He thought EmX failed to meet the economic element of the triple bottom line (TBL). After examining the project's impact on small businesses, he understood why people were so opposed to it. Mr. Johnson was concerned about placing EmX vehicles in dedicated lanes and suggested LTD consider a more nimble and flexible public transportation system that could respond to changes was more rapidly.

Wendy Butler Boyson, 1265 City View, expressed support for the proposed West Eugene EmX route. Speaking to the West 11th Avenue business owners, Ms. Butler Boyson informed them that they did not need cars to maintain their business, they needed people. She and other bus riders were consumers too, and if they spent their money it would be at some place they could reach using transit. Ms. Butler Boyson did not think that EmX had harmed businesses on Franklin Boulevard and said LTD could make swift changes in response to any concerns that arose. She was encouraged by the system's flexibility. She said the EmX buses were easier for her disabled husband to manage and she looked forward to its expansion to West 11th Avenue. Speaking to Ms. Nixon's testimony about a parallel system, she suggested more frequent headways were the tradeoff for reduced stops.

Robert Rubin, 2836 West 11th Avenue, said the project was the beginning of a multi-year siege on West 11th Avenue business owners. He termed EmX a flawed vision from 20 years ago. He did not think that West 11th Avenue could be compared to Franklin Boulevard. He believed the proposed solution solved nothing. He said the park and ride facility at Fred Meyer on Seneca Road was underused and had been since it was built.

Mr. Rubin pointed out that West 11th Avenue was dominated by auto-related businesses and stores that sold large items that could not be carried on a bus. He questioned whether EmX on West 11th Avenue would eliminate any automobile traffic. He said LTD's plans called for fewer bus stops farther apart, which did not benefit riders. He said that LTD had budget problems and planned to reduce services further 20-25 percent over the next three years. The West Eugene EmX route was projected to cost \$1 million to operate in the first year. The State would have to contribute \$25 million or more. He was offended that LTD was

spending money on buttons advocating for the EmX system. He said the alternatives analysis contained flawed data designed to influence people to think that the West 11th/West 13th alternative was better than the no build option.

Ted Sweeney, a University of Oregon student, spoke in support of the proposed West Eugene EmX. He said that students used the EmX system heavily and he believed they would use it to reach West 11th Avenue. He emphasized the importance of EmX to those going to and leaving the University of Oregon campus. He asked the council to support the project and the federal funding it would bring into the community.

Brent Woodrich, 2700 West 11th Avenue, expressed concern about the cost of the proposed EmX system. He noted the budget challenges facing local schools and questioned how Eugene could contemplate spending \$20 million on the proposed West Eugene EmX route when those shortfalls existed. He suggested that instead the council should be considering the community's less fortunate. He did not think that West 11th Avenue was the appropriate route for EmX and suggested it should be located on West 18th Avenue where there was more dense residential development.

Don Peck, 2911 West 11th Avenue, did not think the need for the EmX system had been demonstrated. He had noticed articulated buses on River Road in the pull outs and asked why LTD had to add lanes on each side of the street when that sort of system worked as well. He did not find the potential of federal money to be a reason for the system. He did not oppose the bus system, but he opposed the EmX system.

Eric Gunderson, 72 West Broadway, supported the proposed EmX route because he believed it was good for business, good public policy, and part of the solution to the community's future transportation needs. He noted the more diverse modal split in Portland and asserted that community had reduced its vehicle miles traveled by 25 percent as a result. He further asserted that younger people sought to live in walkable, dense communities with homes near transit. They had a different vision about what communities should look like in the future. Mr. Gunderson further maintained that EmX would reduce Eugene's dependence on foreign oil. He said that transit brings customers to businesses. He asserted that "transit likes business" and said a speaker discussing transit orient development at a recent conference maintained that real property values near transit lines held steady in the recession. Mr. Gunderson said that new development followed transit.

Larry Banks, 72 West Broadway, supported the West Eugene EmX route because he found the status quo unacceptable. He went on to assert that the community overwhelmingly valued public transportation, transit-oriented development, livability, and reasoned long-range planning. He believed those were core values shared by both the business community and all Eugene residents. He said the proposed EmX route would support the needs of the future. Mr. Banks said that EmX was easier for people to use and it got cars off the road. He said the current infrastructure was insufficient to support the desired redevelopment of West 11th Avenue, and EmX contributed to changing that.

Fran Corno, 497 Oakway Road, said that decisions were being made without input from the people who paid for LTD. Decisions were made on citizens' behalf by a non-elected board with taxing authority and the power of eminent domain. Federal grant moneys would not cover the project cost. She questioned how LTD would support the system once in place. Ms. Corno questioned the destination of the route. She expressed concern that regular bus service was being cut. She asked what EmX had done for downtown and if it had brought business to downtown.

Ms. Corno pointed out that the Franklin EmX route served the University of Oregon and linked two towns.

She did not think ridership on that route could be compared to a route on West 11th Avenue. She asked if additional lanes and left turns that crossed three rather than two lanes of traffic made travel on West 11th Avenue easier or safer. She said that undergrounding utilities would improve the appearance of the road and ease the way for pedestrians and bicycles, but because that was not covered by the grant so utilities instead would be moved. She did not think that was an improvement. She asked what kind of climate the council was trying to create for Eugene. She asked if 60-foot buses in a town of Eugene's size was the answer. She said the council needed to create an atmosphere where people could live and work.

Duncan Rhodes reported that a recent meeting of the Whiteaker Community Council, two women in attendance reported that they had been attacked on the bicycle path. As a result of the attack, one of the women dropped her plans to work at Valley River Center. Mr. Rhodes suggested that the City arrange for free self defense classes for women and that it install more lighting and emergency call boxes along the bicycle path.

Kimberly Gladen, 361 West Broadway, #4, discussed conditions downtown. She thanked the council for creating free downtown parking. Ms. Gladen spoke to the amount of drug trafficking downtown. She reported that there were many teens partying late at night downtown, which both left a mess and attracted drug dealers. Ms. Gladen suggested that Eugene was a jumping off point for child pornography activity in Portland. She said part of the lure was the lawlessness that existed downtown, which she believed was out of control. Word about conditions went out on the Internet, attracting even more people to downtown. Ms. Gladen said downtown needed its police patrol back. She suggested that the City needed to invest equally in drug and alcohol rehabilitation, clean-up downtown, and policing. She urged the council and staff to visit downtown and view conditions there.

Bob Macherione, 288 West 6th Avenue, shared his copy of the West Eugene EmX alternatives analysis, which he likened it to a sales brochure aimed at a banking institute. He said that many of the numbers were unaudited and appeared to be pulled out of thin air. They were optimistic at best and intended to convince the federal government and City Council of the project's merit. Nothing in the document spoke to how the system would be paid for. Mr. Macherione said most optimistic numbers indicated that instead of a trip costing \$2.89, trips would cost \$2.85, saving four cents. He did not think that was good enough to justify the impact the system would have. The alternatives analysis indicated that LTD planned to send a bus with a capacity of 91 passengers down West 11th Avenue 87 times a day to pick up 900 passengers, for a total of 8.7 people per bus.

Pauline Hutson, 1025 Taylor Street, said the disaster that West 11th Avenue would become if the proposed route was chosen did not have to happen if LTD selected the 6th and 7th avenue alternative. That route required only a restructured lane and traveled to northwest Bethel, which was the only area in the community with the capacity to accommodate the large-scale housing and business development that was essential to LTD's long-term health. She saw no similar ridership opportunities on West 11th Avenue. Ms. Hutson did not oppose public transit, but she believed it needed to be in the right place. She opposed a system that required the destruction of homes and businesses. She asked the council to consider who it represented. She said it represented the working people who were having neighborhood bus services cut drastically to accommodate an exclusive bus line.

Joseph Siekiel-Zdzienicki, 1025 Taylor Street, agreed with Ms. Gladden's remarks about downtown. He recalled Councilor Poling's remarks admonishing those who expressed concern the route would be a precursor to rezoning. He considered transportation planning to be a zoning plan and easements and public rights-of-way to be zoning tools. Transportation planning predominated over land use planning.

Mr. Siekiel-Zdzienicki recalled the West Eugene Collaborative's discussion of mixed use on multi-use boulevards and its identification of West 11th Avenue as such a boulevard, and pointed out to Councilor Poling that it would require rezoning to apply the mixed use zone. He further pointed out that the Envision Eugene process included discussion of increased densification and mixed use, which were also zoning tools. He referred to the LTD Purpose and Need Statement, which identified West 11th Avenue as a corridor for residential, commercial, retail, and industrial development. He said that he and George Cole were not the first ones to discuss the rezoning of West 11th Avenue.

Mr. Siekiel-Zdzienicki said the technical reports for the alternatives analysis were not being released until mid-January. He asked how much time that gave the council and community to review them for accuracy. He pointed out there was another federal funding cycle in two years and the council did not have to act now.

Paul Nicholson, 1855 East 28th Avenue, was skeptical that those making the final decision on the West Eugene EmX route had scrutinized the background materials to the same degree as Mr. Macherione. He believed that LTD could provide high-quality bus service on West 11th Avenue. He found the proposed EmX route to be a "bunch of constituent parts" glued together. Mr. Nicholson said that one had ever independently examined the system's effectiveness or efficiency. Instead, LTD's approach was "now we've got the money, now we're going to build the thing," and Mr. Nicholson said the process should be the other way around. He believed that the community should have reached consensus on a plan; instead, LTD was presenting those whose lives were going to be disrupted with a specific building program. He said that many other alternatives existed and none had been given an independent examination. He recommended that the council establish a definition for success before approving the project.

Drew Serres, 1673 Olive Alley, a University of Oregon student, regretted the lack of constructive dialogue about the proposed West Eugene EmX route. He suggested if people took time to talk, they could find common ground and solutions. He announced that the University of Oregon's "Climate Justice League" would hold a community dialogue on November 29 at 7:30 p.m. at the University of Oregon campus and invited all present to attend.

John Evans, 3500 East 17th Avenue, represented LTD. He announced a Transportation forum at the Eugene Hilton at 7:30 a.m. on November 9. Speaking to the benefits of the EmX service in West Eugene and the reasons that LTD was looking at it, Mr. Evans explained that the community had been trying to link land use and transportation for many years, and as a result the board and City Council selected West Eugene as the location for the next route extension. Mr. Evans said that EmX was the solution to the congestion problems that existed on West 11th Avenue. West 11th Avenue was identified as one of the 40 worst choke points in the state. The road was at capacity now. Adding a bus lane on a portion of the route could both accommodate existing businesses but could also bring in more people than adding an additional lane would. Mr. Evans reported that there was no local match required for project construction.

Mr. Evans announced the next open house on November 9 at the Eugene Faith Center from 10 a.m. to 2 p.m.

Larry Sweet represented the owners of three shopping centers on West 11th Avenue. He asked if the growth anticipated ten years ago in west Eugene had been realized. He questioned why LTD would want to add to its operating costs at this time. He said that there were seven to ten businesses that he was aware of that could not stand to go through two years of construction. They would be gone. He did not think that now was the right time for the project.

Joshua Keim, 55 West Broadway, discussed the issue of homelessness in the downtown core and the council's failure to find a remedy. He reported that he had received a notice of civil penalty for the trash and debris that accumulated on his doorstep in the amount of \$400 per day. He had to pay a \$250 fee to appeal the penalty. Mr. Keim issued a "Notice of Failure" to the City Council. He said he had been sweeping his own and his neighbors' sidewalk every ten for the last ten years and found it upsetting to have to do so. He encountered feces, spray painting, and vandalism in downtown. He said the bar scene downtown contributed to the overall chaos of the area. He asked the City to stop "passing the buck to local business owners" and to pick up the trash.

Charles Hibberd, 5555 West 11th Avenue, said that LTD indicated that it was building the EmX system to accommodate the 30,000 it expected to move to Eugene-Springfield in the next 30 years. He suggested that if ten percent of those people used the bus, LTD would have 3,000 more riders at a cost of \$83,333 per rider. He questioned the population forecasts used by LTD. Mr. Hibberd commended the existing bus service and suggested that population growth would increase ridership on the existing system.

Mayor Piercy closed the Public Forum.

Mayor Piercy thanked Drix for his comments about Veterans Day and thanked the community's veterans for their service to their country. She also thanked all those who spoke, in particular the University of Oregon students for offering a forum for community dialogue.

Councilor Clark thanked all those who spoke for what he considered exceptionally productive testimony. He continued to be concerned about the proposed West Eugene EmX route and was leaning toward the "no build" option because of the route's disproportionate impact on businesses. Councilor Clark was also troubled by the potential that an unelected body such as the LTD Board of Directors could authorize condemnation of private property, as well as by the lack of sustainable funding for system operations.

Councilor Clark tended to prefer the 6th/7th avenue option if the system was to be built because of Ms. Butler Boyson's comments that one did not need to have a car to be a consumer. He understood that businesses on West 11th Avenue needed consumers, but most were coming in cars and would be for some time. He suggested the value of such a system was to move employees rather than consumers. Councilor Clark said that West 11th Avenue was currently configured as a retail corridor, and if the City was to build more areas for jobs, that should be part of its considerations.

For those who spoke to the issue of zoning, Councilor Clark said that Eugene was planning transportation corridors that would be well-served by transit and dominated by three- and four-story buildings. He suggested that the question to be answered was whether West 11th Avenue was an appropriate transit corridor.

Councilor Poling thanked Drix for his service to his country.

Councilor Poling was unsure what property Mr. Benson was referring to in his remarks. He clarified his earlier comments about rezoning, which was a response to whether the question of the route was a rezoning issue. That put a spin on the subject by suggesting the City was piggybacking on the project in a back door manner to do major rezoning on West 11th Avenue. Councilor Poling said the question for him was whether the route would be built and where. He took things one issue at a time.

Councilor Ortiz thanked those who spoke. Regarding downtown, she thanked Ms. Gladen for her remarks. She clarified that the City always had two officers downtown but during the summer months the officers that had been working in the schools were deployed downtown. She anticipated that in another year there will be more officers dedicated to downtown.

Councilor Ortiz thanked Mr. Keim for his remarks. She said she did not think the City failed the homeless. The City put a lot of money into the Human Services Commission and from other sources. She said the City's work was definitely not done.

Councilor Clark spoke to Mr. Nicholson's remarks, saying he agreed with him that the council needed to have a definition of success for EmX in west Eugene and an idea of the best outcome. He said there were competing visions for West 11th Avenue. He thought the question was a good one to keep in the forefront of the discussion.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- May 26, 2010, Work Session

- July 12, 2010, City Council Meeting

- October 18, 2010, Boards, Commissions, and Committees Interviews

- October 18, 2010, Public Hearing

B. Approval of Tentative Working Agenda

C. Appointment to Police Commission

D. Appointment to Human Rights Commission

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

Councilor Ortiz pulled items C and D.

Roll call vote: The motion to approve the Consent Calendar, with the exception of items C and D, passed unanimously, 7:0.

Speaking to Item C, Councilor Ortiz said she wished to substitute James Manning in place of Bob Walker for the Police Commission.

Councilor Ortiz, seconded by Councilor Clark, moved to amend the motion by substituting James Manning in place of Bob Walker for membership on the Police Commission.

Councilor Ortiz believed the process the council used to fill positions on boards and commissions needed work. She thought the interview process was intimidating and it was hard for some people to shine.

Councilor Clark noted that Mr. Manning was from Ward 6, which was currently underrepresented on City boards and commissions.

Roll call vote: The amendment to the motion passed, 4:3; councilors Taylor, Pryor, and Zenka voting no.

Roll call vote: The main motion passed, 6:1; Councilor Taylor voting no.

Councilor Ortiz, seconded by Councilor Clark, moved to amend the motion by substituting Martha Fish for the name of James Manning to fill Position 2 on the Human Rights Commission. Roll call vote: The amendment to the motion passed, 6:1; Councilor Taylor voting no.

Roll call vote: The main motion passed unanimously, 7:0.

**3. ACTION:
Approval of Funding for Affordable Housing Energy Improvement Projects**

Stephanie Jennings of the Planning and Development Department was present to answer questions.

Councilor Clark, seconded by Councilor Taylor, moved to approve the use of \$160,000 in EECGB funding for three projects: 1) \$73,750 for installation of a ductless heat system at Oakwood Manor; 2) \$71,577 for installation of a solar water preheat system at Ross Lane Apartments; and 3) \$14,673 for installation of energy-efficient windows at 29th Place. Roll call vote: The motion passed unanimously, 7:0.

**4. ACTION:
Adoption of an Ordinance Concerning Citation Authority of University of Oregon Department of Public Safety and Amending Section 4.035 of the Eugene Code, 1971**

Eugene Police Department Captain Chuck Tilby was present to answer questions about the item.

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5036, an ordinance concerning citation authority of University of Oregon Department of Public Safety.

Councilor Brown said that it appeared the only change was that officers would not have to witness a crime if they had probable cause, and hoped that the department had sufficient training on the subject.

Roll call vote: The motion passed unanimously, 7:0.

**5. EXECUTIVE SESSION
Pursuant to Oregon Revised Statute 192.660(2)(h)**

The Eugene City Council met in executive session.

Mayor Piercy adjourned the meeting of the Eugene City Council at 9:22 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

November 10, 2010
 Noon

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

COUNCILORS ABSENT: Jennifer Solomon.

Her Honor Mayor Kitty Piercy called the November 10, 2010, work session of the Eugene City Council to order.

A. WORK SESSION: Eugene Water & Electric Board

City Manager Ruiz introduced the item, reporting that the City Council was scheduled to hold a public hearing on the sale of water to Veneta, followed by a work session and action to occur in January 2011.

Eugene Intergovernmental Relations Director Brenda Wilson reminded the council of the contract entered into by the Eugene Water & Electric Board (EWEB) and the City of Veneta in April 2010 regarding the provision of surplus water to Veneta. Subsequently, the council held a joint meeting with the EWEB commissioners on June 7 to discuss the contract. A public information forum was held on June 8 and a public hearing was held on June 14. Seven people testified at the public hearing and three people provided written testimony. Staff returned to the council for further direction on June 28, at which time the council postponed a decision on the sale of water to Veneta pending the outcome of the validation process. That process was now complete, and representatives of EWEB and the City of Veneta were present to discuss next steps.

EWEB's Director of Employee, Customer, and Community Services Debra Smith emphasized how important it was to the community that EWEB secure at least a portion of the third McKenzie River water right. She cited economic development opportunities, an adequate water supply, and protection against an uncertain climate future as key reasons for securing the right.

Ms. Smith suggested a regional water strategy was critical to managing the risk of EWEB's having a single source of drinking water. She believed that there was an opportunity for EWEB to partner with neighboring utilities and municipalities to mitigate that risk in a cost-effective manner. Ms. Smith noted that councilors had been provided with information about the cost of a secondary source versus the cost of a regional strategy. She acknowledged the large expense involved in either scenario. Ms. Smith said the engineering needed to implement a shared strategy was relatively simple, but the relationship building necessary to realize such a vision was complex. While the Veneta contract might seem somewhat out of order, the work that EWEB, Eugene, and Veneta were doing collaboratively was an important element in demonstrating community interest in pursuing the option.

Veneta City Administrator Ric Ingham said the water contract between EWEB and the City of Veneta was time-sensitive because of its tie to a State Rural Development grant and loan package with a 2015 expiration date. Preliminary engineering indicated the project could take up to four years to build, although he hoped it could be done sooner so Veneta could take advantage of lower costs. Mr. Ingham emphasized the positive economic impact that pipeline construction would have on Lane County.

Mr. Ingham said Veneta was a young community that was still developing much of its major infrastructure. The city had incorporated because of water quality issues. Veneta did not have access to good aquifers or to surface water sources as most communities did. However, Veneta was mandated by Goal 14 to have a 20-year supply of drinking water as well as the supporting infrastructure to meet the needs of its projected population. Mr. Ingham said that water would not drive Veneta's growth rate one way or another.

Mr. Ingham noted the many studies that had occurred to identify a water source for Veneta, and said the studies pointed to the pipeline project as the preferred alternative.

Veneta Community Services Director Brian Issa, Project Lead, distributed and reviewed copies of a PowerPoint presentation entitled *A Comparison of Water Source Development Scenarios for the City of Veneta*. The presentation summarized Veneta's water situation and included information on demand projections, existing supply, options for long-range alternatives, the costs of supply development scenarios, and rate comparisons and projected systems development charge (SDC) increases.

Mayor Piercy solicited council comments and questions.

Responding to a question from Mr. Clark, Mr. Ingham indicated that Veneta had employed Rural Development financing in 1998 to expand its wastewater plant, and all improvements to the water system made in the last 20 years were funded by urban renewal. Mr. Ingham did not anticipate the City's bond rating would be impacted by the water situation.

Ms. Ortiz asked what amount of water Veneta needed. Mr. Issa said the project had been sized to accommodate 3 to 5 million gallons daily. Ms. Ortiz suggested Veneta's SDCs would be so high people would be discouraged from building. Mr. Ingham emphasized Veneta's efforts to foster the creation of local jobs for Veneta residents and said his concern was how the SDCs would impact the community's business development goals.

Mr. Poling believed that Veneta had thoroughly documented its water need and questioned what other options Veneta had given the restrictions placed on other potential sources by the Oregon Department of Water Resources. He hoped at minimum to move the item on to the public hearing phase for the sake of regional collaboration and partnership.

Mr. Poling asked what Veneta would do if it was unable to secure water from EWEB. Mr. Ingham said Veneta would continue to seek an alternative source, which would likely involve efforts to draw water from the Fern Ridge Reservoir. However, there were obstacles created by the need for Congressional approval, water filtration requirements, and the potential impact of drought years on the reservoir's water levels. He emphasized that Veneta had sufficient water to meet average demand for 20 years but would be challenged to provide water for peak demand within the next few years.

Mr. Pryor spoke to the pros and cons of the proposed water contract. Speaking to the question of whether the sale hurt Eugene's water supply, he pointed out that the contract helped to perfect EWEB's water right and made more water available. If Eugene suddenly needed the water, EWEB could cancel the contract. He suggested the contract would benefit both parties. Mr. Pryor also wanted to move the issue forward to a public hearing. He wanted to work out the remaining questions related to the authority of EWEB and City to sell water. Mr. Pryor had yet to identify a real downside to the sale.

Mr. Zelenka said his concerns had nothing to do with Veneta, although he acknowledged that community's lack of options. He said the Veneta contract did not secure the third McKenzie River water right and only got the community "a little further down the road" toward reaching that goal. He suggested that for Veneta to enter into a contract that could be terminated at any time was unrealistic, untenable, and at the least, bad public policy. If there was to be such a contract, it should be permanent given the investment Veneta was proposing to make.

Mr. Zelenka believed it was important for Eugene to preserve its water rights, although he pointed out the new water right would serve the community well past 2050 and there was no other significant party in line for the right. His concerns were more focused on Eugene's own policies and plans as well as concerns about regional planning consistency with Eugene land use laws and growth management policies. He recalled that he had asked earlier how the contract and EWEB as a regional water provider was consistent with Eugene's Growth Management Policies 1, 2, 5 and 10. Mr. Zelenka wanted to see findings of consistency with those goals. He also suggested the contract created a conflict with State Goal 11, which spoke to the efficient provision of municipal services, and believed that addressing those conflicts would be critical in the appeals process he anticipated.

Mr. Brown believed the proposal had initially been presented as an absolute necessity to allow EWEB to perfect its third water right, which was 118 million gallons daily. Eugene was currently using about three percent of the third water right, or about 3.5 million gallons daily. If Veneta's demand was added, that would total 7.5 million galls daily. Eugene needed to demonstrate that it would use 25 percent of the third right within a reasonable time, and 25 percent was 29.5 million gallons daily. Mr. Brown did not think the contract helped much in perfecting the third right.

Mr. Brown suggested the question before the council was whether EWEB became the regional water supplier for southern Lane County. He pointed out that Coburg, Creswell, Junction City, and Elmira might also need more water. They could only grow if they bought water from EWEB, and he questioned whether that was desirable. He suggested that EWEB might not need the third water right, pointing out that it was adequate to serve one million people.

Mr. Brown recalled that the 1976 charter amendment vote had been all about controlling growth and preventing sprawl, and the voters had agreed with those goals. He asserted that Veneta was a bedroom community for Eugene. He estimated that 90 percent of the working population worked in Eugene and drove to Eugene on Highway 126 and West 11th Avenue and asked "what do we get out of it?"

Noting that the Agenda Item Summary mentioned that the council could consider a resolution of support for the contract, Ms. Taylor suggested the council could consider a resolution of denial as well. City Manager Ruiz concurred.

In response to Ms. Smith's remarks, Ms. Taylor pointed out that the Veneta contract did nothing in regard to providing Eugene with a second water source. She considered that subject irrelevant to the discussion.

She wanted to hear about objections to the contract, its impact on long-range planning, and the precedent the contract set for other small communities. She said it was good to help a neighbor but the council also needed to protect Eugene and the environment.

Ms. Taylor asked if Veneta had considered cisterns. Mr. Ingham said Veneta had considered cisterns but they were not found to be feasible. Ms. Taylor remembered when everyone had cisterns to catch rainwater and suggested it was another possible solution.

Ms. Taylor indicated she was willing to move the topic onto a public hearing and would listen carefully to both sides.

Ms. Smith agreed with Ms. Taylor that the issue was not necessarily related to a secondary source. Veneta was a small user. However, other communities were watching the situation, and EWEB General Manager Roger Gray had conversations with neighboring utilities and community partners about participating in the development of a secondary source shared back-up plan. She believed other communities were watching to see if EWEB could find a way to help Veneta move forward with its planning, and suggested that success would be indicative of how willing Eugene would be as a community to engage in a different approach.

Mayor Piercy said she felt strongly about the need to secure water for the future, so perfecting the water rights seemed important to her. She acknowledged that the council had concerns about growth and development but at the same time Veneta was facing an immediate water problem. Mayor Piercy believed that there was a broader issue Eugene needed to consider, that of the water shortages that other small Lane County communities might face, which required a regional discussion that needed to occur soon. Mayor Piercy thought that discussion fit into the Envision Eugene planning effort and other related planning processes.

Mr. Clark said when one's neighbor's house was on fire one did not deny him the use of one's garden hose. He believed that Veneta was in real need. Mr. Clark said there were other parties watching the discussion, including the bond raters. He was proud of Eugene's good bond rating and said the council counted on its bond rating to save money. He pointed out that bond rating agencies consider things like water supply, which impacted the cost of borrowing. He wanted EWEB to perfect more water rights so that Eugene could maintain its infrastructure at an optimum level and maintain its bond rating.

Mr. Zelenka disagreed with Mr. Clark's analogy, saying that Veneta's house was not "on fire" given it had enough water to meet existing demand. He discussed the requirements of Statewide Goal 2, which addressed coordinated regional planning. He said that currently, there was no regional water planning and there was no master plan speaking to EWEB's role as a regional water provider or Eugene's role in that. The focus of the discussion had been on perfecting the third water right in the absence of a plan. The Veneta contract moved EWEB toward achieving 25 percent of the third right, which was important to reserving the next 25 percent, but it would require several contracts the size of Veneta's to do so. He said a master plan could lay out next steps.

Mr. Zelenka said he had asked EWEB General Manager Roger Gray if EWEB had a master plan or was planning to do such a plan, and Mr. Gray had indicated to him that there was no such plan in progress or intention to do one. He asked Ms. Smith to address that issue and whether EWEB was committed to such a plan. Ms. Smith clarified that EWEB had a water master plan focused on Eugene and the infrastructure needs to support growth in Eugene. She acknowledged that EWEB lacked a regional master plan.

EWEB Water Resource and System Planner Brad Taylor thought it made sense to do a comprehensive regional master plan. He suggested that resolving the authority issue was critical to moving forward with that process. Mr. Taylor believed that a regional dialogue started with an awareness of what was happening, which required one-on-one dialogues with the individual cities. EWEB had begun those dialogues as a result of the Region 2050 process. All the Lane County communities had been at the table, and it was clear from the Region 2050 Steering Committee's discussions there was a need for a regional water plan. Mr. Taylor noted that all the small cities had identified EWEB as a potential water source within their master plans, which was the foundation of the collaborative planning effort.

Mr. Zelenka acknowledged the fact of the local master plan and said his remarks were directed at the lack of a regional water plan. He believed that EWEB needed to lead such an effort and produce a plan. He believed it was important to put contracts such as Veneta's in the appropriate context. Ms. Smith said EWEB was committed to such a master plan but she was unsure of the timing. She pointed out that EWEB was currently responding to new leadership, and she was unsure how that affected EWEB's priorities. She said that Mr. Taylor was focused on developing relationships with the smaller communities as a critical first step.

Mr. Brown suggested that communities such as Creswell would approach EWEB because they wanted to double their population but could not do so without more water. He was unsure of his position on the contract but was concerned about "physically creating a subdivision" ten miles outside the Eugene urban growth boundary. He suggested that Veneta could not realize its population projections without water from EWEB. He believed Eugene first needed to decide if it wanted EWEB to be a regional provider. Mr. Brown thought that the water contract would encourage what he termed "exurban growth" and again asked what Eugene got in return. He anticipated even more people driving to Eugene as a result of the contract. Mr. Brown expressed concern that the council had adopted growth management goals and then proposed to do something in direct contradiction of its goals.

Mayor Piercy suggested that sometimes the council had good goals that conflicted with each other. Veneta was seeking to build a community where people could live, work, and play at home. She suggested that community's goals were similar to Eugene's. She recognized that the two communities had shared travel areas, which came at a cost.

Mr. Ingham emphasized Veneta's interest in rebuilding its business base, which had declined with the decline of the timber industry. He suggested the danger that Veneta could be viewed as a community in decline, and businesses and industries would avoid locating there, leading Veneta to shut down the schools that were at the heart of the community, leaving no community at all. He suggested that could mean Veneta eventually unincorporated, and Veneta's leaders were trying to avoid that.

Mr. Pryor did not believe it was possible to discuss the contract without discussing the context involved. He was glad the issue of Eugene's role in the region was on the table so questions related to that could be discussed. What would partnership look like and how far would it extend? If Eugene was the manager, what did that look like? Mr. Pryor acknowledged that Eugene was a regional factor but he was unsure to what degree it should be a controller. He said that Eugene needed to be a good steward of its resources, but he tended to believe that "we are all in this together" and if Eugene could make water available to Veneta without harm to its own citizens, it should. He questioned whether it was Eugene's job to manage Veneta's growth.

Mr. Pryor referred to the City's Growth Management Policies, which were posted on the meeting room wall, and asked why he should "buy into them" as they were adopted in 1998 and he had no part in their development. He believed that the council should discuss the policies. He believed some contradicted each other, and wanted an opportunity to weigh in on them before the council used them to govern "real world" issues.

Mr. Pryor agreed with Mr. Zelenka there was a need for a regional water master plan.

Mr. Poling agreed with Mr. Pryor about Eugene's role as a controller. He also agreed about the City's Growth Management Policies, suggesting that the council should not follow the policies until they were updated. Mr. Poling did not think Eugene should try to dictate to other cities how they grew or expanded. Those communities needed to have their own policies and plans.

Mr. Poling agreed with the mayor that the City had some goals that contradicted each other, and that should be taken into consideration when discussing such issues. He said that the council should talk about what was best for everyone involved, not just Eugene. He emphasized the limitation that Veneta's water situation placed on it in regard to encouraging business development that could move Veneta beyond the role of a bedroom community.

Mr. Poling appreciated Mr. Zelenka and Mr. Brown's honesty in labeling the contract as a growth issue. He agreed that the contract was not about water, but about growth management not just in Eugene but in all of Lane County.

Mr. Zelenka said the issue was not about Veneta or about control. He maintained the issue was about adherence to Eugene's adopted policies and Oregon's land use laws. He said that if the council was not going to adhere to its adopted policies, it should change them or take them off the wall. Mr. Zelenka recalled that he had requested information from staff regarding which of the policies had been codified but had not received that information.

Mr. Zelenka reiterated that his focus was on Eugene, not on controlling Veneta. Mr. Zelenka averred he was not a "no-growther," but rather in favor of "smart" or planned growth. He believed the City's policies and Oregon's land use laws were in place for a reason. If Eugene was not going to adhere to them, they should try to change them or identify an exception to them.

Mr. Zelenka asked City staff for a consistency analysis of the Growth Management Policies and a regional water approach, citing interest in particular in policies 1, 2, 5, and 10, as well as a consistency analysis of a regional water approach with Statewide Goals 2, 11, and 14.

Mr. Zelenka asked if EWEB had a plan to perfect the first 25 percent of the next water right, and if it was going to produce a regional master water plan. Ms. Smith indicated she would provide answers to the council in writing after consultation with other EWEB staff. She said the answer to Mr. Zelenka's first question was related to the answer to his second question. If EWEB had a back-up supply commitment from other larger neighboring utilities, that commitment counted toward its ability to reserve the next 25 percent and subsequent 25 percent allocations.

Mr. Taylor recalled that there was a regional master water plan done by the Lane Council of Governments in 1978. That was supplanted by the Eugene-Springfield Metropolitan General Area Plan, and the broader master plan vision was shelved. He did not recommend that EWEB produce a master plan on its own, and

advocated for an iterative process that allowed the communities to align their plans into a larger regional strategy or view. EWEB could lead such an effort, but he hoped for a much more collaborative approach. Mr. Zelenka agreed that a regional plan needed to involve the regional players.

Mayor Piercy said the Growth Management Policies were City policy until a council majority changed them. Speaking to Mr. Zelenka's comments about seeking information about whether the Growth Management Policies were codified, Mayor Piercy suggested the examination he desired should be the outcome of a council decision because of the scope of the task.

Mr. Clark pointed out to those concerned about growth that it was important to perfect future water rights to maintain Eugene's stake in any conversation about regional growth. He agreed with Mr. Taylor's remarks about the need for a collaborative approach to regional planning. He wanted Eugene to do a better job in collaborating with its regional partners. Mr. Clark regretted the demise of the Region 2050 planning effort but suggested its failure could be attributed to a lack of focus on best outcomes for the entire region.

Mr. Clark suggested that to the degree that Veneta could increase its employment base, it would reduce the number of people driving to Eugene and decrease Eugene's street maintenance obligations. He called for less of a focus on how Eugene could restrict the actions of its neighbors and more of a focus on collaboration toward a better mutual end.

Mayor Piercy wanted to honor both that the City desired to work with its regional partners as well as the fact it had its own policies and goals it was trying to achieve.

City Manager Ruiz indicated staff would schedule a public hearing on the item.

Mayor Piercy adjourned the meeting at 1:28 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

November 15, 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 public hearing of the Eugene City Council to order.

1. **PUBLIC HEARING:**

An Ordinance Concerning Authority of Traffic Control Officers to Direct Traffic and Amending Sections 2.660, 5.010, 5.060, 5.065, 5.275, and 5.276 of the Eugene Code, 1971

City Manager Jon Ruiz said the public hearing regarded amendments to the Eugene Code that would change the title of Community Service Specialist to Community Service Officer and give such individuals authority to direct traffic on streets and public thoroughfares. The amendments were required by State statute.

Mayor Piercy opened the public hearing. There being no one present who wished to speak, she closed the public hearing and called for council questions and comments.

Councilor Brown asked if Community Service Specialists had to issue tickets often. Captain Richard Stronach responded that Community Service Specialists had authority to write parking tickets and could issue citations for animal-related violations, but they did not do much of the latter. Responding to a follow-up question from Councilor Brown, Captain Stronach indicated that vehicle booting was a Parking Control responsibility but Community Service Specialists could authorize towing of abandoned vehicles.

2. **PUBLIC HEARING:**

An Ordinance Concerning Assessments for Street Improvements; Amending Sections of Chapter 7 of the Eugene Code, 1971, Including Section 7.175; Adding a New Section 7.180 to that Code; and Providing an Effective Date

City Manager Ruiz acknowledged the work of the Council Subcommittee on Street Assessment Policy, composed of councilors Poling, Taylor, and Solomon.

City Engineer Mark Schoening and Engineering Data Services Manager Fred McVey were present for the item. Mr. Schoening reminded the council of the work session held on the topic on September 22, at which time the council discussed an issue the subcommittee was unable to reach consensus on, that of the change in the methodology of how properties were assessed. He said there were two alternatives discussed at that time for apportioning costs among nonresidential properties, the existing methodology based on front

footage and a methodology based on property area. Mr. Schoening said that staff was now proposing a third option, which was an allocation based half on area and half on frontage. The three options were outlined in the agenda item summary provided to the council.

Mr. Schoening noted another issue that was raised in discussion, that of already improved dead end streets and cul-de-sacs and whether they should be assessed at the same rate as the properties abutting the street to be improved, or at a lesser rate. Staff recommended those properties be assessed at half the rate charged to properties abutting the street.

Mayor Piercy opened the public hearing.

Marguerite Zolman, 1174 Sheraton Drive, representing the Harlow Neighborhood Association, spoke in support of the amendments. She went on to speak of the poor condition of Arcadia Drive, which lacked sidewalks, gutters, and storm drains. She believed the road was incorrectly classified at present and suggested it should be classified as a collector street given that all properties on Arcadia Drive and east of Arcadia Drive had to use the street to exit and enter the neighborhood. Ms. Zolman said the Public Works Department had stated that the neighborhood was served by the Van Dyn-Bogart Collector, which did not serve Arcadia Drive. She questioned if neighborhoods were allowed only one collector street. Ms. Zolman said the amendments would ensure that those who benefited from Arcadia Drive would share in the cost of improving it. She asked the council to adopt the ordinance and fix Arcadia Drive before there was a fatality.

Mayor Piercy closed the public hearing and solicited council questions and comments.

Councilor Poling noted his long-term involvement in the Arcadia Drive issue and the frustration he experienced trying to get street studied with the goal of reclassifying it. He acknowledged he had yet to raise the issue with City Manager Ruiz and suggested it was time to start the discussion again.

Councilor Poling asked if it was true neighborhoods were allowed only one collector. Mr. Schoening said no. The City had not pursued the reclassification of Arcadia Drive from a local street to a neighborhood collector because it had not seemed worth the time and expense to change the classification when the actual problem was that the street was unimproved and should be improved to urban standards. The street classification did not prevent that from happening.

Councilor Poling believed the extension of Arcadia Drive had increased traffic using the road. He asked if it was possible to study the street in isolation. City Manager Ruiz promised to return with more information.

Councilor Ortiz determined from Mr. Schoening that residential property owners were assessed the equivalent cost of a local residential street if they lived on a collector street. The City's share of the cost was paid by transportation systems development charges. The City had no similar funding source for local streets.

Councilor Zelenka joined the meeting via speakerphone.

Councilor Taylor asked if residents living on Arcadia Drive would be assessed less if the street was reclassified as a neighborhood collector. Mr. Schoening said no.

Councilor Taylor hoped the council would approve the ordinance in accordance with the committee's consensus recommendations. In regard to the item on which the committee did not reach consensus, she continued to prefer the area approach.

Councilor Poling asked if a resident living on an unimproved street would be assessed less for a neighborhood collector than for a residential street. Mr. Schoening said the answer depended on the nature of the improvement. The theory behind the methodology was that everyone paid about the same. He acknowledged it was possible the assessment could be less because residents living on a collector would be assessed for ten feet and residents living on a local street would be assessed the full width, although the street width was likely to be 20 feet.

Councilor Clark indicated his preference for the frontage approach.

Councilors Ortiz, Pryor, and Zelenka indicated they had not yet reached a position on the issue of area versus frontage.

Councilor Poling favored the half-frontage, half-area approach because it "struck a middle ground." He referred to the examples provided by staff and pointed out there was not much difference in the cost of the assessment to the property owner. Regarding the issue of dead end streets and cul-de-sacs, Councilor Poling indicated he was willing to reduce the assessment but believed those property owners still benefited because they had to use other streets to reach their houses. He proposed they should be assessed 75 percent of the full assessment.

Councilor Taylor believed the council should act before Councilor Solomon's term ended, given all the work she had put into the issue. She agreed with Councilor Poling that residents living on cul-de-sacs and dead-ends benefited from road improvement projects and further did not have to put up with the construction involved. She supported charging those residents, and was willing to accept the combination frontage-area approach described in the agenda item summary.

City Manager Ruiz indicated staff could return with three separate ordinances for the council to choose from on December 13.

Councilor Clark was unable to support assessing residents who lived on already improved dead end streets and cul-de-sacs because those residents had already paid for the street in front of their house.

Councilor Solomon indicated support for the combination frontage-area approach. She recalled the subcommittee was in unanimous agreement that those living on cul-de-sacs and dead-ends served by road that were to be improved should be assessed, and said she could support assessing those residents 75 percent of what residents directly benefitting would pay.

Councilor Taylor did not think the assessment system would ever be totally fair. Referring to the Crest Drive improvement, she said many of those most insistent on improving the street did not live on it and did not have to pay anything. However, they had to use those streets to access their homes and benefitted as much as anyone.

Councilor Pryor said he was tentatively inclined toward Ms. Solomon's position regarding cul-de-sacs and dead-end streets. He asked how often there were improved cul-de-sacs served by unimproved streets. Mr. Schoening indicated that was a fairly common situation.

Councilor Clark asked if the ordinance distinguished between cul-de-sacs with their own names and those that were numbered as part of another street. Mr. Schoening said no.

Councilor Zelenka expressed concern about residents who had recently paid for the street to be improved in their cul-de-sac and then had to pay for another improvement on the basis of benefit. He asked if it was possible to design a system that took that into consideration. He also supported the combination front-age-area approach.

Councilor Taylor asked if residents living on a cul-de-sac had ever formed a local improvement district (LID). Mr. Schoening said he was unaware of any. Councilor Taylor suggested such a thing had never happened.

Mayor Piercy adjourned the meeting of the Eugene City Council at 7:59 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

November 17, 2010
Noon

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

In the absence of Her Honor Mayor Kitty Piercy, Council President Mike Clark called the November 17, 2010, work session of the Eugene City Council to order.

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

Mr. Clark reported that he attended a meeting with residents living near the Oakway Golf Course on November 9 to discuss their concerns about an application for an ATT cell phone tower. He met on November 10 with the president of the Santa Clara Community Organization to discuss neighborhood issues and the Envision Eugene process. Mr. Clark had also attended a public forum sponsored by the Eugene 4J School District Harlow regarding its budget situation. Mr. Clark announced the November 18 Police Commission meeting.

Mr. Brown noted his attendance at the most recent Human Rights Commission meeting, which included a panel discussion/training on transgender awareness. He had learned of the difficulty transgendered individuals had in receiving medical care.

Ms. Ortiz reported she had attended Mayor Kitty Piercy's EmX summit. She said that on November 11, she spoke to the local chapter of the Oregon Nurses Association to share her perspective on cultural competencies.

Ms. Ortiz sent out a word of solidarity to the nurses on strike at McKenzie-Willamette Hospital.

Ms. Ortiz announced that the Eugene Tree Foundation would plant trees on Bethel Drive on November 20. The event would be kicked off by remarks from the mayor at 9 a.m. and would end at a local business, Oak Shire. Ms. Ortiz said that she met with staff of the Lane Regional Air Protection Agency on November 17 to review organizational policies and procedures.

Mr. Zelenka reported that he attended a meeting of the South University Neighbors focused on how parties impacted the neighborhood and what responses were available to neighborhood residents. Representatives of the Eugene Police Department had been present at the meeting. He had also attended a meeting of the Fairmount Neighborhood Association, during which attendees heard a presentation on the oral history of the neighborhood and discussed the Arena Parking District. Mr. Zelenka had attended a meeting of the Amazon Neighbors, which had a panel discussion about how to meet one's neighbors. He announced the Laurel Hill

Valley Citizens meeting occurring on November 18.

Mr. Zelenka said he attended a meeting of the Eugene City Club and heard a presentation from Director Ron Chase about the new Sponsors facility. He had attended the Eugene Water & Electric Board's Large Customer Meeting. Mr. Zelenka noted the Sustainability Commission meeting occurring later that day and the upcoming Oregon Climate Summit on November 19, 2010, at the Eugene Hilton Hotel.

Ms. Taylor reported she had also attended Mayor Piercy's EmX summit. She had attended the meetings of the Southeast Neighbors and the Crest Drive neighborhood association and learned that the Crest Drive association proposed to reduce meetings to six, with two of the meetings to be social occasions.

City Manager Ruiz reminded the council of its November 22 meeting with the Eugene Planning Commission to discuss the Envision Eugene process.

B. EXECUTIVE SESSION

The council held an executive session in accordance with Oregon Revised Statute 192.660(2)(i),

C. WORK SESSION: Police Auditor Annual Review

Human Resources and Risk Services Director Alana Holmes was present for the council's annual performance review of Police Auditor Mark Gissiner. Mr. Gissiner was also present.

Mr. Clark read a statement from Mayor Piercy that commended Mr. Gissiner's hard work and his attention to improvements in canine oversight and high-speed vehicle pursuits. Mayor Piercy urged continued work on training and crisis management.

Ms. Ortiz expressed appreciation to Mr. Gissiner for stabilizing the Police Auditor's Office. She noted Mr. Gissiner's comment in his self-evaluation that people sometimes expected the Police Auditor's Office to act as an advocate for those making complaints against the police, and recalled that at one time, the Human Rights Commission had an advocates program that worked with such individuals. She said it was challenging for those who did not have much contact with the police to understand the system, and asked Mr. Gissiner his opinion of such a program. Mr. Gissiner thought it was a great idea, although he could not speak to what group would provide advocacy services. He had seen such programs used successfully in other cities.

Ms. Ortiz thanked Mr. Gissiner for his examination of the high-speed pursuit policy.

Mr. Pryor agreed with Ms. Ortiz that Mr. Gissiner brought stability to his office. He also believed Mr. Gissiner understood his job and that how he did it was as important as what he did. He recognized that Mr. Gissiner's job was focused on officers' behaviors, but pointed out that was related to the policies the department operated under, which fostered or discouraged those behaviors. He emphasized the importance of collaboration with the Eugene Police Department in that task. Mr. Pryor said that Mr. Gissiner had brought the auditor's office to the place it needed to be. He commended Mr. Gissiner for a job well-done.

Mr. Clark agreed with the remarks of Ms. Ortiz and Mr. Pryor. He found Mr. Gissiner highly competent

and said he had exceeded his expectations. Mr. Gissiner brought a degree of stability to the office that allowed it to be less controversial and more effective. He believed that Mr. Gissiner had fostered the council's goal of having a good oversight model and that he had raised the office's performance. He was surprised by how far Mr. Gissiner had come in such a short time. He hoped to award Mr. Gissiner both a cost of living adjustment and a step increase because of his exemplary performance.

Mr. Poling said Mr. Gissiner had taken over the Police Auditor's Office at a challenging time. He had high expectations for Mr. Gissiner and they had been met. Mr. Gissiner did not have a personal agenda outside of making the Police Auditor's Office function as it should. Mr. Gissiner had to make some difficult decisions and Mr. Poling thought he had done an excellent job in doing so. He believed that Mr. Gissiner had re-instilled community trust and confidence in the office and that his work had helped build community confidence in the Police Department as well. He was very pleased with Mr. Gissiner's performance and expected more of the same in the future.

Mr. Zelenka also commended Mr. Gissiner and said he had met his expectations. When Mr. Gissiner was hired, Mr. Zelenka's best outcome was that the Police Auditor's Office would become noncontroversial and stay off the front page of the newspaper, and that had happened faster than he had expected. The auditor's office was operating as it should. Mr. Gissiner did an even handed job in addressing complaints. He was not a rubber stamp for police actions, nor was he antagonistic to the department.

Mr. Zelenka perceived the role of the auditor's office was to provide residents with a place to complain against the Police Department, help them navigate an intimidating and complex process, and to be an impartial processor and adjudicator of complaints. He thought Mr. Gissiner had successfully filled those roles. He also believed that the maturation of the process and greater police union acceptance had contributed to Mr. Gissiner's success.

Mr. Zelenka commended Mr. Gissiner for how he handled the dismissal of the deputy auditor. He also commended him for his work on policies related to search and seizure, vehicle pursuits, and the use of canines. He also expressed appreciation for Mr. Gissiner's outreach to the community.

Mr. Zelenka, seconded by Mr. Poling, moved to grant the Police Auditor a step increase from Step 3 to Step 4 retroactive to his hire anniversary date and a COLA of two percent starting January 1, 2011.

Ms. Solomon supported the motion. She thanked Mr. Gissiner for all his work and said he was exactly what Eugene needed at the time it needed him.

Ms. Taylor believed the two previous auditors had difficulty because the system was new and because of police union resistance. While she thought Mr. Gissiner was doing a good job, she suggested that his gender contributed to his success. She thought the fact that the last auditors were women made their acceptance by a male-dominated work group more challenging.

Ms. Taylor said she had attended a meeting of the Civilian Review Board at which the board discussed what she considered an egregious example of police wrong doing. Mr. Gissiner had been rigid about the date beyond which the complaint could be accepted, which she found disappointing. However, she found him to be very flexible and courteous in general. She continued to want to know more about the point of view of those who had made complaints.

Ms. Taylor did not support the motion because she did not support the increase in the COLA or the retroactive step increase.

Mr. Brown supported the COLA. While he believed Mr. Gissiner was doing a good job, he preferred to wait on the retroactive step increase because of budgetary concerns.

Speaking to Ms. Taylor's remarks, Mr. Poling said he had begun police work in 1972 and had seen the profession transition from all-male to a more integrated profession. There were now many more female chiefs and sheriffs than in the past. He questioned whether the gender of the last auditors was significant in their success, pointing out they served when the system was still not accepted by many elements of the community. He believed that the individuals who filled the position in the past did their best but things had not worked out.

Mr. Clark suggested that Ms. Taylor's remarks could diminish those who served in the department. He thought that the department's greater acceptance of the office was directly related to Mr. Gissiner's competence.

Mr. Zelenka suggested it was naïve to believe the gender of the past auditors was not relevant to how those individuals were received by the Police Department. Speaking to Mr. Brown's remarks, Mr. Zelenka said if the council failed to pass the motion it would be singling out Mr. Gissiner as the only individual in the organization to receive a step freeze.

The motion passed, 6:2; Mr. Brown and Ms. Taylor voting no.

Mr. Clark adjourned the meeting at 1:25 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

Joint Meeting of the Eugene City Council and Eugene Planning Commission
McNutt Room—Eugene City Hall
777 Pearl Street—Eugene, Oregon

November 22, 2010
5:30 p.m.

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

COMMISSIONERS PRESENT: Heidi Bierle, Chair; Jeffrey Mills, Vice Chair; Randy Hledik, Richard Duncan, Jon Belcher, Lisa Warnes, William Randall, Planning Commissioners.

A. WORK SESSION: Joint Meeting with the Planning Commission – Envision Eugene

Her Honor Mayor Kitty Piercy called the November 22, 2010, work session of the Eugene City Council to order. Planning Commission President Heidi Bierle called the November 22, 2010, meeting of the Eugene Planning Commission to order.

Mayor Piercy welcomed the Planning Commission and noted its role in the Envision Eugene process. She also noted that there were several members of the Community Resource Group (CRG) present, which included Don Kahle, Pat Farr, Ann Vaughn,

Planning Director Lisa Gardner, Carolyn Weiss, Long-Range Planning Manager,

Ms. Gardner reviewed the meeting agenda. She then provided background on the Envision Eugene process.

Assistant City Manager Sarah Medary asked participants to introduce themselves and share their perceptions of the Envision Eugene process and the CRG.

KP and HB here

- (Mills)
- How we as a comm. Will acc 40 K new people, how to provide jobs, where will they live; CRG a different approach to resolving issue; process is how to listen. There's an answer there somewhere. (RH) don't let perfect enemy of good. Meet needs of as many residents as possible
- EE Opportunity to find common ground about what we all like about Eugene. Like that process is outside the box (WR)
- CW ® broadening the group of those involved, will be better project
- Envision Eugene – CRG pick strongest voices and try to collide—very energizing process—hopeful in ways I was not when it started (Kahle)
- Would like to see the process come to an end—getting Envision Eugene fatigue. (JS)

- Opportunity to design our future—think the process will do it. Heading on right path. Also on CRG and learned there is a desire for civil discourse, and that was a place for it to happen. It's amazing how much CRG agrees on general concept; acknowledge not to weeds yet. (Belcher)
- CRG remarkable process but not always fun and games. Quotes from process. note opposing points of view, those who want more data versus those that have to go on. Commend LG and JR for process. (Farr)
- This is a mandate to go through process. hope that CRG gives CC good recommendations—think we've given the community opportunity to weigh in re their priorities. All want CE to be good place to live. (Ortiz)
- CRG creates space for something to come out that wasn't there before and breaks down winner takes all notion. (Zelenka)
- Not on CRG but heard positive and negative. Think many people unaware of this process. (Taylor)
- Envision Eugene major undertaking for shaping city future. Worry process will bog down reaching product. Don't think all will agree but hope all can live with. (Poling)
- Member of CRG. Staff worked to bring many voices together and have been happy to see. concerned about deadline. (Clark)
- Attending CRG meetings and have come to appreciate group in all ways mentioned. emphasize importance of well-thought out process and decision and predict CC will be able to make good decision and vet them with public in timely way. (Jerome)
- See Envision Eugene and CRG as separate. (r) recall WEC ® think people want the same thing. Agree see light at the end of the tunnel. Think Envision Eugene will do that . CRG small part of effort. ® see Envision Eugene as being long-term vision.
- Impressed with expertise, intelligence, variety of voices at CRG. Collective wisdom has helped us over hurdles. Communication key—people see they have lots in common—note focus on careful and selective UGB expansion. Note connection jobs and expansion – do we want young families here and do we want to provide homes for young people. Hopeful will be able to come up with recommendations but acknowledge gap between concepts and implementation (Vaughn)
- Emphasize accessibility of process to average people. Requires more time for sincere participation but acknowledge need to keep moving—think process allows for participation while still moving (Pryor)
- Impatience with process—time to get to the maps. Speed that up, less process, more technical expertise. Acknowledge why manager chose route but fear will get to February and we won't be there. (Brown)
- Ambitious timeline – did not think enough but acknowledge state mandate and we're doing the best we can. Fear we won't have concrete options too. there can be bridge building—find encouraging. (Warnes)
- Envision Eugene one of the most important conversations we'll have for all the reasons stated. CRG—purpose for us to make a good decision for the community talking to CRG about landing in new spots-places we have not been before, someplace that could accommodate all viewpoints and perspectives, doing that really requires individual and collective learning.

City Manager Ruiz shared a framework for decision making and some examples of how the framework would be used.

Ms. Medary solicited clarifying questions.

Responding to a question from Mr. Zelenka, City Manager Ruiz intent is to have tradeoffs for the council to consider.

Mr. Clark cited transportation planning as example of planning where did not get results. Want reality-based tactics. Choice of tactics will also depend on who you ask and where information is from. City Manager Ruiz check back allows us to be aggressive but realistic. Mr. Clark how frequent? City Manager Ruiz five years—becomes ongoing planning work plan item. Mr. Clark avoid creating opportunity to kick can down the road in creative fashion. Re LCDC, other jurisdictions involved—does this method leave us with autonomy?

Ms. Jerome said the options well-reasoned backing, LCDC can ask for more, we'll provide. Mr. Clark concerns about Board of County Commissioners role. Ms. Jerome Board of County Commissioners can protest, refuse to adopt.

Mr. Farr noted the potential of someone trying to bypass the City and go to the Board of County Commissioners and suggested that continual check-ins would help avoid that. Ms. Gardner agreed. Working together early—CW and LG went to Board of County Commissioners in October and LG had met one-on-one with several commissioners. Plan another update soon. City Manager Ruiz also in touch with State.

Mr. Farr question ®

Mr. Farr City Manager Ruiz issue is what is the reasonable time to adjust

Mr. Brown question about what the CC will see in February. City Manager Ruiz respond. Strategies will depend on maps. Manager to recommend strategies to council, and those will be informed by CRG and Envision Eugene process.

Mayor Piercy recall discussion of redevelopment pointing to West Eugene but never had strategy to make happen. Scenario planning? Connection to Envision Eugene. Recall presentations at climate summit regarding options. Recall limitations put on what they do in regard to LCDC involvement.

Mr. Pryor

Ms. Warnes asked if Board of County Commissioners ever suggested too aggressive. Ms. Jerome it could. ® bcc action could cause state intervention.

Ms. Warnes five-year check-in examples-- Ms. Gardner not so much a screw up as the assumptions made—if we make assumptions , sometimes don't pan out.

Ms. Medary recall best and worst outcomes exercise. Questions 1) when you think about Envision Eugene and framework, what are worst outcomes if we take this course, and 2) what is the best outcome.

Worst outcomes:

- Jon—no decisions are made in February
- Lisa—that all the options may not be realistic or come with so much opposition the UGB would need to be expanded more.
- George—bog down in process, end up with mushy choices
- Ann—choices too big (councilors will not a)
- Richard—EE cannot find a vision and themes and us's continue to conflict
- Emily—that council will not find clear direction

- Mike—this process becomes a mechanism to never expand (because we ? on unreliastic tactics) 3)
- George—process chokes off opportunity find regionalize solution
- Betty—expand UGB to include prime forst and farm land
- Alan—
- Andrea—end up in court andbecomes another blood bath for eguene or weapon for community
- Pat--Unrelaistic expectations ® leaving us with insufficient land use choices
- Jon—palnning fails to account for residue of ? 2) meetings are insufficient to inform public and get feedback; 3) go too slow toaccommodate anxious and too fast for clarity
- Jennifer—too much focus on numbers and percentages and not agree to more of a policy approach
- Don—every participant reverts to old way of speaking and thinking so conversationin end is not at all new
- Carolyn—each strategy and tactic requires at least three work sessions
- Bill-get or stay so entrenched in linear thinking willmiss opps for livability
- Randy—spend too much time and money debating philosophy about growth,gets remanded, done when its time to start again
- Jeff—that CRG will not reach agreement.
- Lisa—that fremwork does not meet expectations for needed clear policy choices
- Heidi—econoimc reasons keeps us from achieving desired results, and after all the work to bring new voices in same strong voices overpower it
- Kitty—framework won't work and things will fail and people will be mad and lack a shared vision
- Chris—it will become a close process with experts controlling outcome, and decisions will be based on convenience.

Best Outcomes/Advice on how to get there

- Kitty—framework provides data and options that enable us well-thought ways to accommodate new people while protecting what we value () and do it together. Check in with those with needs, get them what they need or reasons they don't need it
- Heidi—decision makers take responsibility and make it happen
- Lisa—framework so brilliant council decides quickly single work session
- Jeff—CRG will develop a set of real practical alternatives for PC and CC, and members of the CRG will support outside group framework, share with neighbors.
- Randy—all intelligence citizens with constructive ideas get chance to be heard, competing ideas heard in civil manner, etc. let CRG complete it work, let staff analyze, synthesize, take to broader general public, council decide
- Bill—we realize all is connected and need to get beyond linear thought something green
- Carolyn—® begin structuring conversations in framework of strategies and tactics to help prepare decision makers
- Don—opposites attract—framework opportunity for others to see what others think and disagree respectfully. Stop talking about how big we will be
- Jennifer—really like having strategies and tactics to point to and ability to articulate will helpful. Best outcome new UGB so we can focus on things that truly effect citizens, like jobs.
- Jon—we find the sweet spot with suffiinet specificity ® and become the Eugene we all want to be. Trust, have comfort to share thoughts ®
- Pat—have a shopping list of tactics within strategies that allow us to fill basket with land use choic-es inside UGB andsomething about land outside UGB to accommodate balance. Listen to Mr. Brown and put it into streets and parcels so we can see what it looks like.

- Andrea—move ahead with strategy that gives us good information—egreen as destigation and has diverse population.
- Alan—near consensus agreement on strategies and what levels they should be employed to? UGB. (HML approach to tool box, be aggressive with strategies and tactics in recognition of five-year update)
- Betty—focus on infill and brownfield redevelopment. Don't force the assumption of 34,000—consider stable or more
- George P—strategy to address UGB and Eugene future agreeable to most in time for deadline. Like strategy strategy but need to see more. Try and speed the process along, don't let it get bogged down. Five-year update—make a maximum of five years and build in flexibility to revise sooner.
- Mike—that the council agrees on a new UGB by February. With regard to plan presented today, ensure reality-based tactics.
- Emily—PC and CC collectively and confidently identify ways to accommodate population and employment needs. If decide to do five-year check-in, be specific about what the City will be looking at then to avoid a new Envision Eugene process.
- Richard—Short and we live happily ever after if it works. Don't neglect the tough choices—these decisions will affect the entire community and they need to reflect the community. Consider reshaping Eugene as opposed to growing Eugene—trade off unusable lands. Recognize a long-term decision—we may be precluded today from something we can accomplish tomorrow. ®
- Ann—plan specific and comprehensive enough to guide future growth and livability issues, therefore Eugene prospers, etc. advice—consider keeping CRG together in some fluid form to do occasional check-ins
- Chris—to achieve broad community support or at least acceptance. Accommodate and accept that human nature has to be part of the decision. Not afraid of revolutionary ideas, but that a governing factor
- George—that the council receive accurate and useful information in February with different layers and scenarios it could review, choose from, or keep in reserve.
- Lisa—that the strategies to increase efficiency and use of the land in UGB are sound, realistic, and numerous, and the council has an easy time accepting it to limit the expansion of the UGB and maintain our lifestyle. Look to larger communities with beautiful open space and natural resources of 1 million or so to see how they live.

Ms. Weiss discussed next steps in the process.

Responding to a question from Ms. Taylor, Ms. Weiss confirmed that the CRG had discussed exclusionary zoning.

City Manager Ruiz thanked the participants for their attendance and acknowledged much work remained to be done. He anticipated staff would continue to bring the two groups together.

Mayor Piercy said stuff

Mayor Piercy adjourned the meeting at 7:xx p.m.

Mr. Bierle closed the Planning Commission meeting at 7:50 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

December 8, 2010
 Noon

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

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

A. WORK SESSION: Disposition of 858 Pearl Street Property

Central Services Department Director Kristi Hammitt and Senior Management Analyst Denny Braud were present to discuss the disposition of City-owned property at 858 Pearl Street. Mike Penwell of the City's Facilities Division was also present for the item.

Mr. Braud reminded the council that it had declared the property at 858 Pearl Street as surplus property in 2009. Subsequently, the City solicited offers for the property and received two offers, one from Network Charter School and one from Master Development. Mr. Braud reviewed the details of a proposal to sell the property to Master Development, and reported that the company's preferred concept was to redevelop the building as housing, with 15 units of housing and some commercial office space. He emphasized the use of the phrase "preferred concept," as the firm's intent was for housing but it might have to consider an office use if the housing concept was not feasible.

Mr. Braud referred the council to Attachment A of the meeting packet, *Outline of Terms—Disposition of 858 Pearl Street—Master Development*, and reviewed the proposed terms. Mr. Braud recommended approval of the sale terms.

Mayor Piercy determined from Mr. Braud that staff found Master Development's proposal to be acceptable because the firm proposed to use the building for housing, but the City was also willing to provide the firm with some flexibility in recognition of existing market conditions. Mr. Braud acknowledged the building could end up in office use depending on the results of the firm's feasibility study, but suggested a nice office building would not be a bad outcome of the sale. Mayor Piercy agreed. She observed the City had difficulty realizing its goal for downtown housing but she knew the council continued to support that goal. She hoped the firm's plans worked out. The proposal made sense to her.

Mayor Piercy solicited council comments and questions.

Ms. Solomon supported the proposal and hoped the City continued to dispose of its surplus properties.

Ms. Ortiz also supported the proposal. She determined from Mr. Braud that if the building was not redeveloped as housing, it would not be eligible for the Multi-Use Property Tax Exemption (MUPTE). She further determined from Mr. Braud that while the City had only two offers for the property, one from Master Development and one from Network Charter School, several parties had requested information about the property.

Mr. Zelenka determined from Mr. Braud that the City had not solicited offers for the property since July 2009. Ms. Hammitt pointed out that the property had a “for sale” sign posted on it and the City had actively marketed the property since July 2009.

Mr. Zelenka agreed with Mayor Piercy that it would be desirable if the building was redeveloped as housing but he acknowledged the challenge of that. He believed the MUPTE was most appropriately used in the downtown area rather than in the other areas that it was being used.

Mr. Zelenka asked about the difference between the appraised price and the sale price. Mr. Braud said the appraisal was based on a commercial office use rather than a housing use. It would be more challenging to convert the property to housing, which changed the economics of the real estate value. The rents charged for housing would not be more than rents charged for office use, and were generally less. Mr. Braud said staff derived a lower value for a housing project than for a commercial office use. Mr. Zelenka asked why the City was not requiring housing but would still provide the purchaser with \$200,000. Mr. Braud attributed it to the market risk involved and suggested the City would not get a market value for the property because it was vacant and a purchaser would be buying a ‘spec’ office building with no tenants.

Responding to a question from Mr. Zelenka, Mr. Braud confirmed there was no time limit on the note. Mr. Zelenka asked if staff had done a spreadsheet analysis of the likelihood of receiving that payment. Mr. Braud acknowledged the risk involved and pointed out that it was the same risk the City took in regard to the Beam project. The City lacked a fully fleshed out pro forma because Master Development had not gotten into the building to determine rehabilitation costs or done a market analysis for the rents. He speculated that at some point the building would be sold, which would be a logical time for the money to be paid back to the City. He suggested that it was also possible that, like Broadway Place, rents would stabilize and the City would begin to see payments.

Mr. Zelenka likened the note to a zero interest loan. Mr. Braud said the City was a partner in the project as well as a participant in the success of the project.

Mr. Zelenka indicated support for the proposal because he believed the City would recover its money.

Mr. Clark believed that the City had other assets and properties it should dispose of to support the construction of a new city hall. He asked what City Manager Jon Ruiz planned to do with the \$1 million realized from the property sale. City Manager Ruiz indicated he had planned to use it to fund implementation of the strategies that came out of the Envision Eugene process. Mr. Clark strongly suggested the manager add the sale proceeds to the Facility Reserve because he believed the money should be used to defray the cost of renovating or rebuilding a new city hall. City Manager Ruiz said that the sale price would come in as unappropriated dollars, and the council could choose where to appropriate those dollars through either a supplemental budget or through the annual budget process.

Mr. Poling was very supportive of the proposal and agreed with Mr. Clark about how to use the money the City received for the building. He believed the council needed to demonstrate to the taxpayers it was trying to offset the costs of a new city hall.

Mr. Poling asked if the City would have room for negotiation in regard to potential mitigation costs related to hazardous substances found on the site. Mr. Braud said yes, and indicated staff had discussed the topic with the buyer. The City had not yet committed to anything.

Mr. Clark, seconded by Ms. Taylor, moved to authorize the City Manager to enter into a purchase and sale agreement with Master Development for the disposition of the 858 Pearl Street property consistent with the terms and conditions included in Attachment A. The motion passed unanimously, 8:0.

A. ACTION: Adoption of an Ordinance Concerning Downtown Public Safety Zone; Amending Section 4.874 of the Eugene Code, 1971; and Providing a Sunset Date

The council was joined by Police Chief Pete Kerns, who reviewed the changes made to the Downtown Public Safety Zone (DPSZ) ordinance since the public hearing the council held on the topic. City Attorney Glenn Klein and Police Analyst Linda Phelps were also present to answer council questions.

Mayor Piercy acknowledged her own concerns about zones such as the DPSZ but appreciated the revisions related to due process and the provision of advocacy services, which addressed some of those concerns.

Mr. Clark believed the ordinance as currently written was legally defensible from a due process standpoint. He had been satisfied with the ordinance as it existed, but acknowledged community concerns about the issue of due process as it related to Section 4.876, and was willing to support deletion of that section. He was pleased the revisions made it possible for the council to move forward with a greater degree of unanimity.

Mr. Pryor agreed with Mr. Clark that making the ordinance more broadly acceptable to the community was one of the tradeoffs the council faced. He had asked Municipal Court Judge Wayne Allen for input regarding the deletion of the temporary exclusion, and the judge's response made Mr. Pryor feel comfortable that the core of the ordinance was still in place, particularly with the addition of more offenses. He suggested the ordinance could be amended in the future if it did not work.

Mr. Pryor spoke to the provision of advocacy services. He emphasized the importance of ensuring accessibility to the legal system. He believed that many of those impacted by the ordinance would not be familiar with the law, and while he did not want to assume the liability of giving them legal advice, he believed they should be given assistance navigating the system. He thought the cost was reasonable.

Ms. Ortiz determined from Chief Kerns that staff proposed the ordinance expire in 18 months because he believed that was when new downtown officer team would be deployed.

Responding to a question from Ms. Ortiz, Chief Kerns indicated that Municipal Court would manage the contract for advocacy services. Responding to a follow-up question from Mr. Poling, Chief Kerns anticipated that advocacy services would be provided by an organization such as Whitebird or St. Vincent de Paul or by volunteers. The City would not add new staff or add to the duties of existing staff to provide

those services. Mr. Poling asked if the advocates would be trained by the police or courts. He also asked who would monitor their work to ensure they did not shift from advocacy to giving legal advice. Chief Kerns said Municipal Court would be responsible for the contract and would oversee the work of the advocates. He emphasized that there was always a judge in the Municipal Courtroom to ensure that advocates were not violating the law by acting as attorneys.

Mr. Poling had not initially favored giving up the temporary exclusion reflected in Section 8.476. However, based on information provided by staff and the overall nature of the approach being taken, he supported deleting the section.

Mr. Poling believed the ordinance was not perfect or necessarily the solution to downtown's problems, but it was a tool to address problems downtown. Because downtown was where the problem was occurring, Mr. Poling thought the council needed to take action to address it. He acknowledged that many positive things occurred downtown and he appreciated the changes that were being made, but he also believed the DPSZ would have positive benefits.

Mr. Poling determined from City Attorney Klein that City Manager Ruiz could return to the council with an ordinance to extend the sunset period. Mr. Poling thought that was necessary given unanticipated delays in the hiring, training, and officer deployment process.

Ms. Solomon asked how the City could offer advocacy for individuals cited for a DPSZ violation but did not provide similar services for those cited elsewhere in the community. She feared the council's action would open the door to a larger advocacy program. Chief Kerns indicated that the City offered advocates for targeted groups, such as those who spoke only Spanish. Speaking to the question of how to prevent expansion of the service, Chief Kerns suggested that City could not expand the service without the authority of the council. He said the City was not obliged to provide an advocate in other processes just because the council chose to do so in this circumstance.

Ms. Solomon asked if the advocacy program would go away when the ordinance expired. Chief Kerns said yes. Ms. Solomon determined from Chief Kerns that the City's current contract for advocacy service called for payment by the hour and he anticipated that approach would continue.

Ms. Solomon asked if the City received had complaints about a lack of advocacy services. Chief Kerns said no. Ms. Solomon suggested the advocacy services element of the ordinance was a solution in search of a problem and she could not support the expenditure.

Mr. Brown could not support the ordinance for reasons he had stated before. He termed the revisions made to the ordinance "lipstick on a gorilla." He did not think the statistics provided to the council demonstrated the program's effectiveness. He believed criminal activity had been shifted. Some crimes were down in the DPSZ but they were up outside the zone. There had been an increase in assault inside the DPSZ. Mr. Brown suggested the number of sex offenses in downtown in the last 2-1/2 years did not warrant their inclusion in the list of crimes for which one could be excluded.

Mr. Zelenka supported the revisions to the ordinance, particularly the addition of advocacy services and the elimination of the temporary exclusion. He appreciated the council's willingness to consider changes. He had not supported the initial ordinance because of concerns regarding its constitutionality. He had been concerned that Eugene Police Department statistics indicated 60 percent of those excluded were homeless.

He speculated the remainder of those excluded were low-income and lacked education. Mr. Zelenka continued to be concerned that the DPSZ would move crime out of downtown and into other areas.

Mr. Zelenka believed the extension of the ordinance had majority support and he preferred to change the ordinance for the better rather than be a symbolic ‘no’ vote. He acknowledged he preferred not to have such a zone. Mr. Zelenka supported the advocacy services contract arrangement outlined by Chief Kerns.

Ms. Taylor noted her initial opposition to the ordinance and said she continued to oppose it. She preferred the DPSZ be morally defensible as well as legally defensible, and she did not find it morally defensible.

Ms. Taylor asked Chief Kerns if he had an example of a case involving a person who was excluded from downtown but would not be punished in any other way. In other words, exclusion was the only punishment available. Chief Kerns said a person could not be excluded unless there was reason to believe they committed a crime and criminal action against them was moving forward. Such individuals could be excluded from downtown for 90 days pending a trial. The one-year exclusion could only be imposed upon someone upon conviction.

Ms. Taylor believed that the effect of the ordinance was to shift criminals around the community, in many cases before they were convicted of crimes. She asked Chief Kerns questions clarifying the nature of some of the crimes mentioned in the ordinance. Ms. Taylor pointed out that all the crimes on the list for which one could be excluded from downtown were already crimes. Chief Kerns acknowledged that they were crimes, but pointed out the City lacked jail capacity to keep such people who committed such crimes confined in jail until their trial date. When the City put people in jail for minor offenses such as theft and disorderly conduct they were released immediately and went back where they came from to commit more crimes. When people were arrested for violating the exclusion order, they did not come back downtown.

Ms. Taylor was concerned about the ‘rightness’ of excluding people from an area and about dissipating criminal behavior to other parts of the community. She believed the best approach to dealing with undesirable people was to dilute their presence and have everybody together.

Mayor Piercy observed that whenever the City interrupted such behavior it did tend to move elsewhere but it also seemed to lose intensity. One did not solve the problem, but it improved the situation. Chief Kerns concurred. He said that was particularly true with street and behavior crimes, and he believed the council’s action to fund a new downtown police team would allow the department to place those officers where the crime was happening, and over time behavior crimes would be reduced.

Mayor Piercy said she knew that police officers were deeply concerned about young women downtown and the predatory situations they frequently found themselves in, and suggested that was the reason sex crimes had been added to the ordinance. Chief Kerns concurred.

Mr. Clark, seconded by Ms. Taylor, moved to extend the Downtown Public Safety Zone for 18 months to April 2012, adding the sexual violations and crimes portion, adding the revised statutes portion, adding a new section 4.875 on the issuance of notice to show cause, and deleting Section 4.876 with regard to the temporary exclusion by adopting Council Bill 5042, the Option B ordinance concerning the Downtown Public Safety Zone. The motion passed, 5:3; Ms. Taylor, Ms. Solomon, and Mr. Brown voting no.

Mr. Clark, seconded by Ms. Taylor, moved to direct the City Manager to create an advocacy program to be available without cost to persons who have received a notice to show cause under Section 4.875 of the Eugene Code, 1971. The motion passed, 7:1; Ms. Solomon voting no.

Mayor Piercy adjourned the meeting at 12:52 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

December 13, 2010
 7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the December 13, 2010, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Pauline Hutson, 1025 Taylor Street, Residents for Responsible Rapid Transit (3RT), said Lane Transit District (LTD) did not like the 6th/7th Avenue option for the West Eugene EmX extension because it created three routes on one bus rapid transit lane, which was precluded by Federal Transit Administration guidelines. She suggested LTD could adopt the 6th/7th option and install a transfer station at Garfield and Chambers streets and avoid sending the future River Road and Highway 99 EmX extensions down 6th Avenue to downtown. Ms. Hutson said a statement was made at the recent meeting of the Joint Locally Preferred Alternatives Committee that feeder routes would only be provided once the Highway 99/River Road corridor west of Highway 99 was constructed. That made no sense as the routes would not be built in 15-20 years. She said the areas that would be served were among the fastest growing in Eugene, and feeder routes would be crucial to the success of LTD service in that part of town.

Ms. Hutson suggested that LTD Director of Service Planning, Accessibility, and Marketing Andy Vobora's remarks to the council regarding LTD's contacts with businesses did not "tell the full story" because Mr. Vobora did not mention that there were business owners on Franklin Boulevard who, in spite of promises, were not adequately compensated for their losses. She recommended that the council read an article about the issue by Paul Nicholson in the November 24 issue of the *Eugene Weekly*.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, believed the EmX route selection process had grown increasingly complex and lacked a needed link to the Envision Eugene process, through which changes to the urban growth boundary might occur. He said the two issues needed to be worked on together. The Community Resource Group (CRG) included some representation from West Eugene businesses but he did not think that representation was sufficient. The CRG needed more representation from small business owners. Mr. Siekiel-Zdzienicki said a land use plan must involve those who would be affected. He urged the council to slow the route selection process to coordinate it with Envision Eugene.

Mark Robinowitz, PO Box 51222, Eugene, discussed a "low build" approach to the Beltline widening project as a means to lower costs and to recognize decreased traffic volumes. He suggested the City's transportation planning did not take into consideration that Alaska would have no more oil by 2031. He

acknowledged there was a safety issue on Beltline but believed it could be addressed at a relatively low cost by redesigning the ramps at the Delta and Beltline interchange. Speaking to the proposed EmX route, Mr. Robinowitz believed that the community needed better transit but also believed opponents to the proposal were correct about many of the flaws in the design. He suggested that LTD could do more to gain control over design conditions by precluding the construction of big box stores that were hard to serve with transit. He supported an EmX route on Highway 99 and suggested that LTD should discuss restoring recent service cuts.

Dennis Konrady, 855 Meadow Butte Loop, noted his submission of an application to name a park after Suzanne Arlie. He said Ms. Arlie was an extraordinary woman, and went on to discuss Ms. Arlie's community work and her establishment of the Golden Ribbon Foundation to provide support to women battling ovarian cancer.

Mike Grudzien, 921 Waverly Drive, spoke in support of naming a new park in favor of Suzanne Arlie because of her positive community contributions and assistance to local nonprofit human service providers.

Dennis Abear, 850 East 38th Avenue, "Save Civic Stadium," thanked the City for the grant funding that allowed his organization to do a feasibility study for Civic Stadium. He applauded the council for considering acquiring the property proposed to be named after Suzanne Arlie and suggested the action presented the community with another opportunity to consider acquiring Civic Stadium. Many of the people he spoke to wanted to see the stadium saved. He suggested the City could collaborate with Eugene School District 4J to save the stadium.

Theresa Bishow, 3220 High Street, spoke in support of naming a park after Suzanne Arlie and said the City's naming guidelines permitted such an action. She thanked the council for allowing for public input opportunity and said she was moved by the stories of Ms. Arlie's community contributions. She acknowledged some were critical of the proposed acquisition but pointed out that the proposal had support from the Arlie & Company's banks, creditors, and a federal judge, allowing the company to fulfill a pledge to the City that had been made in better economic conditions.

Eugene Drix, 307-1/2 East 14th Avenue, expressed his pride in the City, the community, the University of Oregon, and Eugene residents. He spoke to the format of the forum and reminded people that the council often answered comments offered in the forum. He encouraged people to pick up litter and suggested it counted as volunteering and contributed to a more beautiful city. He said there were many issues and many beautiful answers that came out of the community. He encouraged other residents to contribute to the forum.

Erin Ellis, 901 South 32nd Place, Springfield, said she was told by LTD that the difference in operating costs for the EmX and existing service would be more than \$1 million. She said the community did not have that money. Ms. Ellis said she had posed questions to LTD about its projected operating costs for the system as LTD staff's statements appeared to contrast with summary tables provided to the public. She was still awaiting an answer. Ms. Ellis said the operating costs for 2015 would be substantially more than \$1 million annually, and LTD still did not know where the money would come from. She was very disappointed to learn that transportation system management (TSM) was not an option, although it was presented as one. She believed that was deceitful.

Carlis Nixon, 1556 Wilson Court, said she was pro-transit but anti-EmX, the result of riding the EmX and finding it only had five more seats than a regular bus. She said there was now a question of whether TSM

was an actual option. LTD staff was saying it was not an option but was included for comparative purposes as there was no funding. She suggested there was no funding because none had been applied for. Ms. Nixon believed that raised questions about the other information provided by LTD. She recalled that an LTD consultant had recently indicated to an advisory committee that TSM had reduced stops, which had been a significant issue when comparing travel times. Up until now, LTD had always stated that TSM did not have reduced stops and was slower by only three minutes. LTD staff had not seemed to know if that was true or not.

Kim Sawyer, 2170 Greenview Street, owner of a business on West 11th Avenue, recalled that in October, a representative of the “Envision Utah” had presented at the Hilton Hotel on that effort. He said that individual made it clear that process had included many options, an educational process, and a public vote. Many elements had been involved. He said one of his employees had lived in Utah at the time and confirmed and commended the process. Mr. Sawyer believed Eugene’s effort paled in comparison in terms of representation. He said the presentation made him think about legacy projects. Mr. Sawyer asked the council to have the courage to come up with a legacy in the form of an all-encompassing plan all residents could live with that included land use, water use, public and private transportation, urban growth, the schools, and amenities such as Civic Stadium.

Tom Halferty, 4510 Manzanita Street, supported naming a park for Suzanne Arlie. He suggested the remainder of the parks bond moneys should be spread out around the whole community and not concentrated in a single area such as south Eugene. He said the City should consider where growth could happen and what was integral to the community right now. Mr. Halferty considered Civic Stadium to be a worthwhile project. He suggested the City could purchase the land and recover its costs with compatible development on the half not occupied by the stadium. He suggested an independent entity could manage the facility to avoid additional public costs.

Eileen Loritsch, no address given, supported a better transit system in Eugene but did not think that EmX represented an improvement. She said it did not make sense that LTD would buy buses that run on diesel instead of alternative fuels. The EmX buses did not get good gas mileage. She suggested that LTD look into the smaller buses used in other communities. Ms. Loritsch questioned a decision to run EmX down West 11th Avenue as it lacked the residential density that existed in other areas. She believed that reduced stops would benefit some but not many people. She questioned why LTD was sticking to a plan with so many flaws rather than seeking more sustainable and convenient solutions.

Dennis Cassidy, PO Box 5028, Eugene, opposed the purchase of the property owned by Arlie & Company. He had not known the City would threaten the use of eminent domain to acquire the Green and Beverly properties when he had voted for the bond measure. He said the City was losing credibility through its actions. He averred that if the City purchased the Arlie property, it would be taking away money from the schools.

Irving Weiner, 88500 Greenhill Road, suggested the council step back from the EmX proposal and let everyone provide input so that any plan that resulted was everyone’s plan. He thought there were ways the proposal for a West Eugene EmX route could be made better. He asked the council not to rush to a decision.

Wendy Butler-Boyeson, 1265 City View Street, expressed support for the proposed West Eugene EmX route. She described how she used the EmX system as a kindergarten teacher. She believed the area adjacent to West 11th Avenue had sufficient residential density to support the EmX route. She had recently

used the 41 bus to reach downtown and it had been standing room only. She concluded that “the ridership was definitely there.” Ms. Butler-Boyeson spoke of LTD’s mitigation efforts, which she maintained would address the issue of business access. She acknowledged that the current EmX vehicles were diesel but they were diesel-electric hybrids. She believed there was a need for the system.

Pat Farr, 1929 Praislin Street, acknowledged the service of outgoing Councilor Solomon. He said Councilor Solomon had worked tirelessly for the Bethel area and for the community as a whole. He said the community owned Councilor Solomon a debt of gratitude.

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

Councilor Ortiz thanked those who offered testimony. She expressed appreciation to Councilor Solomon for her honesty and willingness to maintain her principles, and wished her well.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- September 14, 2010, Joint Elected Officials Public Hearing
- September 29, 2010, Work Session
- October 11, 2010, Work Session

B. Approval of Tentative Working Agenda

C. Ratification of Intergovernmental Relations Committee Minutes of June 30, 2010

D. Appointments to Eugene Toxics Board

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

3. PUBLIC HEARING AND POSSIBLE ACTION:

Appropriation of Resolution 5019 Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011

City Manager Jon Ruiz reported that the supplemental budget recognized new revenue, marginal beginning working capital, and authorized other unanticipated changes in legal appropriations. It also reflected the Budget Committee motions related to funding for the Road Fund, Creekside Park, and Human Services Commission.

Mayor Piercy opened the public hearing.

John Barofsky, 2010 Hubbard Lane, the chair of the Eugene Budget Committee, noted the transfer to Reserve for Revenue Shortfalls that brought the reserve up to a level of \$17.4 million, which was consistent with the City Manager’s strategy to maintain a sustainable budget. He believed the challenge that lay ahead was to balance deferred spending on capital and infrastructure with adequate staffing to deliver the level of services citizens expected. In regard to the proposed supplemental budget, Mr. Barofsky asked that \$300,000 be added to the General Capital Fund to account for capital needs.

Mr. Barofsky thanked Councilor Solomon for her service on the council and Budget Committee.

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

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 5019 adopting a Supplemental Budget; making appropriations for the City of Eugene for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011.

Councilor Solomon, seconded by Councilor Clark, moved to amend the motion by transferring an additional \$300,000 to the General Capital Fund.

Councilor Solomon believed the fund was woefully unfunded and adding \$300,000 to it would be a step in the right direction.

Councilor Zelenka asked staff to speak to the tradeoffs created by the motion. City Manager Ruiz said that the City's strategy was to accumulate cash this year and any subtraction at this point would mean something would have to change in the budget because there would be less money to carry forward. Councilor Zelenka said in the absence of more analysis of the impact of the action, he was not prepared to support the motion.

Councilor Taylor concurred with Councilor Zelenka. She suggested the council postpone action.

Councilor Pryor liked the concept behind the motion and hoped staff kept the conversation in mind. However, he was not prepared to support the motion at this time.

Councilor Poling also expressed appreciation for the concept behind the motion but was not prepared to support it at this time without more information about where the money would come from.

Roll call vote: The amendment to the motion failed, 6:2; councilors Solomon and Clark voting yes.

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

Mayor Piercy adjourned the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

**4. PUBLIC HEARING AND POSSIBLE ACTION:
Appropriation of Resolution 1057 Adopting a Supplemental Budget; Making Appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011**

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

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 1057 adopting a Supplemental Budget; making appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011. Roll call vote: The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting of the Urban Renewal Agency and reconvened the meeting of the Eugene City Council.

**5. PUBLIC HEARING AND POSSIBLE ACTION:
An Ordinance Establishing a Process and Standards for Issuing Economic Development
Project Revenue Bonds as Recovery Zone Facility Bonds**

City Manager Ruiz introduced the item, reporting that the Oregon Revised Statutes required the City to adopt a procedure and standard for receiving and processing applications for bonds. The next agenda item was related, and must be approved by the council for the Bennett Management Company project to proceed.

Mayor Piercy opened the public hearing. There being no requests to speak, she closed the public hearing and called on the council for questions.

Councilor Brown asked why Wells Fargo walked away from the project. Urban Services Manager Denny Braud of the Planning and Development Department responded that he could not speak to why the bank made a credit decision, but the current lending environment was quite challenging. He said the good news was that another bank was close to approving the financing.

Councilor Brown determined from Mr. Braud that the City would be liable for the lease of an additional 16,000 square feet if the developer could not fill the space with a private tenant. City Manager Ruiz added that the City could also sublease the space. Councilor Brown determined from Mr. Braud that a tenant wishing to lease that space would be leasing from Bennett Management Company, and that staff anticipated rents would be \$1.85 per square foot. City Manager Ruiz clarified that rents would be paid by the department occupying the space. A non-general fund department would pay rents using non-general fund moneys.

Councilor Brown said he initially supported the project but no longer could because he believed the City was overextended and was taking too much of a risk. In addition, he was concerned that there would be too much office space downtown with too little demand. He said if another private entity had been willing to commit to the project, he might have been able to support it.

City Manager Ruiz spoke to the City's strategy for downtown. He reminded the council of the goal to fill both of the pits that existed. He recalled that the Beam Company's original proposal was for both the Centre Court and Aster Pit, and at that time the City had guaranteed it would occupy 50,000 square feet. The City was not making a similar guarantee for the Centre Court and in fact had cut its square footage in half. City Manager Ruiz pointed out that the Bennett Management Company has increased its equity contribution from \$2.25 million to \$2.5 million. He continued to believe the City's investment was worthwhile.

Councilor Brown said it was possible the City could be the building's only tenant for some time. He was also concerned that the project presupposed an answer for the question of what to do about City Hall by moving all the employees out.

Councilor Ortiz was prepared to support the motion. She said if the City wanted to see change, it needed to invest in the downtown. Bennett Management Company had a good record and she did not hesitate to commit to the square footage.

Councilor Zelenka said it clear to him that nothing would happen downtown unless the City stepped up and made it happen. The City had stepped up. All three of the projects in downtown had City participation in common. Councilor Zelenka suggested a certain amount of critical mass was needed to change things downtown. He believed that filling the pits was an important psychological step forward. He believed the City's risk had gone down with its lesser square footage commitment. Councilor Zelenka had no objection to seeing all the employees now working in City Hall temporarily relocate to the building.

Councilor Zelenka was pleased to hear that Bennett Management had stepped up its equity contribution and that a local bank supported the project. He determined from Mr. Braud that construction could begin in 2012. Councilor Zelenka favored moving forward.

Councilor Taylor also supported filling in the Aster Pit but was convinced by Councilor Brown's arguments. She asked what departments would move into the space. City Manager Ruiz did not know at this time. Councilor Taylor hoped the manager considered not renewing existing leases. City Manager Ruiz said that was the plan. The City hoped to maximize its financial and operational efficiencies to the degree possible.

Mayor Piercy appreciated the effort made to bring the project to fruition. She considered the project important to the downtown and appreciated the work that kept it going. She thought it was less of a commitment for the organization than the Beam project. She supported the project.

Councilor Poling believed the proposed lease was positive for the organization. He said the project gave the City an opportunity to step back and study more carefully what to do with City Hall. He suggested that the lease also gave the City an opportunity to consolidate more services in a central location. He perceived the project as a very positive step that would help "kick-start" activity in downtown.

Councilor Pryor appreciated the flexibility the lease provided the organization as it regarded the future of City Hall. The lease did not tie the organization down. Speaking to the issue of risk, Councilor Pryor suggested that the City could not be an effective partner if it was too risk-adverse.

Mayor Piercy determined that no councilor objected to the council taking action.

Councilor Clark, seconded by Councilor Taylor, moved that the City Council adopt Council Bill 5041, establishing a process and standards for issuing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

6. **ACTION:**

Adoption of Resolution 5014 Authorizing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds to Finance Improvements on the Vacant Parcel Located at Broadway and Willamette Street and Adjacent to the Centre Court Building

Councilor Clark, seconded by Councilor Taylor, moved to approve the Revised Outline of Terms included in Attachment A. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 5014 authorizing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds to finance improvements on the vacant parcel located at Broadway and Willamette Street and adjacent to the Centre Court Building. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

**7. PUBLIC HEARING:
Eugene Water & Electric Board Water Rights**

Mayor Piercy opened the public hearing.

Roger Gray, 500 East 4th Avenue, the General Manager of the Eugene Water & Electric Board (EWEB), anticipated that the council would discuss EWEB's proposal to sell water to Veneta in January 2011. He said the Veneta contract would help EWEB demonstrate it had a use for a third water right on the McKenzie River. He emphasized the importance of long-term regional water planning to EWEB, the City, and the region. The Veneta contract made sense in that context. The contract moved EWEB toward certification of the third water right, started a regional discussion about a second source, and helped Veneta. He emphasized the importance of a second source to the community and suggested that if Eugene helped its neighbors they would be more inclined to help it, which would save money in the long-run.

Dennis Friedrich, 88094 9th Street, Veneta, Superintendent of the Fern Ridge School District, urged the council to support the Veneta water contract because of the community's limited water supply. He emphasized the importance of an ample water supply to the schools and the residents and businesses of Veneta.

Mark Robinowitz, PO Box 51222, Eugene, opposed EWEB's proposal to sell water to Veneta because of the precedent it set. He then went on to criticize EWEB's decision to relocate its operations functions to west Eugene and its wish to keep its contract with Seneca private. He called for EWEB to make such documents public and to work to control toxins from entering the McKenzie River.

Sharon Hobart Hardin, 88145 9th Street, Veneta, Mayor of Veneta, noted that two Veneta City Councilors were also present at the meeting due to the high priority the Veneta council placed on the issue. She requested council approval for EWEB's proposal to sell water to Veneta. She said Veneta had faced challenges regarding its water supply since its incorporation. Residents wanted to maintain Veneta as a standalone small city, and that vision could not be achieved without adequate and predictable water. Veneta was required by the State to plan to meet the demand for services created by residents over the next 20 years. She hoped to do so through the most sustainable, lowest cost means available, and for that reason the City Council had concluded that a partnership with EWEB was the most viable option.

Walter Burt, 55 Southwest Yamhill Street, Suite 300, Portland, represented GIS Water Solutions. He shared technical information regarding Veneta's ability to be served by wells.

Terry Nye, 25869 Vera Lane, Veneta, Fire Chief Lane County Fire District #1, spoke in support of the proposed water sale. He spoke of his department's use of Veneta municipal hydrants to fight fires in rural Lane County. He indicated that most of the year Veneta's water system was adequate, but in the summer the wells were at peak capacity. He was concerned that communities served by the district would not have enough water for an emergency when emergencies were most likely to happen. He emphasized the need for

long-term planning that provided adequate water for Veneta. Mr. Nye believed EWEB was the most viable option. It had a secure, dependable water source that could be depended on for domestic, commercial, industrial, and public safety needs. Recent wells had not been very productive. He said a finding by the Oregon Water Resources Department restricted Veneta's access to future groundwater sources. Mr. Nye said that Veneta had secured federal funding to construct the necessary pipeline but an agreement with EWEB must be in place before the public process can begin. He emphasized that time was of the essence. He asked the council to support the agreement.

Brian Issa, PO Box 458, Veneta, Public Works Director of Veneta, discussed the opposition to the Veneta water contract. He said the opposition was based on assertions that approval of the sale would lead to sprawl and rampant growth, and Veneta itself had been referred to as sprawl and a subdivision of Eugene. Those in opposition would have the council act as the arbiter of growth in the region by using water as a tool to impede growth in the outlying incorporated communities. He asked the council to consider the contract for what it was, an agreement for EWEB to sell a very small amount of water to a neighboring community so it could continue to pursue its community development goals in the context of Oregon's land use system. Mr. Issa urged the council to look at Veneta's planning documents when considering assertions that growth in Veneta was unplanned. He said that Veneta was far ahead of many communities in ensuring growth occurred conscientiously. He said that many in opposition would suggest the contract would lead to rampant growth, but Veneta had experienced growth without abundant water.

Dave Davanzo, vice president of the Fern Ridge Chamber of Commerce, said his organization believed a healthy business climate enriched the lives of everyone and it was committed to working with the City to attract new jobs and industry to Veneta and for its residents. He said Veneta was disadvantaged by the lack of a reliable, secure source of water. Water was vital to Veneta residents and critical if the city was to be successful in attracting new business to the area. He noted that the community's best producing well sites could not be drawn from because the water originated in the Long Tom River and Fern Ridge Reservoir. The surface water from the Long Tom was already committed and it would take an act of Congress to gain access to the Fern Ridge Reservoir; even if Veneta gained access to the reservoir, treatment costs would be excessive. Mr. Davanzo supported the Veneta water contract, saying it made sense, was the right thing to do, and ensured Veneta's future economic independence.

Jim Eagle Eye, 25456 Hunter Road, Veneta, chair of the Veneta Planning Commission, encouraged the council to support the agreement between Veneta and EWEB for the sale of surplus water to Veneta. He pointed out that Oregon law required Veneta to provide adequate water for projected growth over the next 20 years. Water was critical to Veneta's ability to both recruit commercial and industrial investment to provide more employment opportunities and services to all residents and to improve residential development so that it could protect its natural resources and continue to grow into a city that could provide its residents with a distinctive quality of life.

Mr. Eagle Eye emphasized the importance of timely action due to the nature of the grant/loan funding that would underwrite Veneta's costs for pipeline construction. He also emphasized the jobs that pipeline construction would bring to the region.

Mr. Eagle Eye encouraged the Eugene City Council to continue discussing the issue of regional water planning.

Mr. Eagle Eye concluded by saying that Veneta's projected future growth and increases in commercial and industrial development could be met within its Urban Growth Boundary and should not be considered

sprawl.

Herb Blodeman, 25115 Luther Lane, a Veneta business owner, said he and other Veneta business owners cared deeply about the future of Veneta and all of Lane County. He encouraged the council's support of the agreement between EWEB and Veneta. He believed the contract was the best way for Veneta to meet its water needs. Veneta had investigated its options and found that other options had substantial drawbacks. He suggested a prosperous Veneta benefited the greater region.

Tom Slocum, 1950 Graham Drive, believed that Veneta was the first of many communities that would seek water from Eugene. He suggested that in solving its own problem, Veneta could help Eugene to solve its problem of securing a third water right. He anticipated that there would be considerable competition for future rights, and if EWEB did not use enough of the rights assigned to it, there was a chance an entity other than EWEB would be making decisions about who had access to the water in the future.

Ron Farmer, no address given, supported the Veneta water contract. He said that the courts would make the final decision about who had authority over the sale, and that would provide clarity about the process to follow as the two communities went forward and worked together for the success of their citizens. He believed Eugene citizens supported a cooperative approach to the issue.

Gary Wildish, no address given, termed the contract a great opportunity for Eugene to perfect its water rights. Speaking to the topic of communities, he pointed out that Oregon communities had limited resources and were working together to do things in more cost-effective ways. Regional solutions were being contemplated throughout the state. He believed that cooperation with Veneta was consistent with what Eugene was already doing. He termed the contract an opportunity for a "win-win" solution.

Tabitha Ech, 24865 Strike Street, Veneta, owner of Our Daily Bread Restaurant in Veneta, said she bought her business in 2006 and economic conditions had worsened since then. There was not enough water to sustain Veneta, much less grow Veneta into becoming the small community that its residents desired. She said there were also health and safety issues to consider. She hoped more businesses joined her in the future to make Veneta a vibrant community for all to enjoy.

Thomas Cotter, 88098 Hester Street, Veneta, an incoming Veneta councilor, spoke in support of the sale of water to Veneta. He said the contract would allow Veneta to grow and contribute to welfare of the area. He pointed out that Oregon law required Veneta to ensure it could provide residents with water, and because of limited ground water resources, the contract could provide that service. Veneta was a responsible and growing community that wanted the same resources afforded to other nearby communities. He asked the council to support the contract.

Craig Soderberg, 87965 Sherwood Street, Veneta, supported the proposed water contract. He said EWEB's agreement to provide water to Veneta was an example of how two organizations could work together toward a mutually beneficial solution. He suggested the contract was also an example of being a good neighbor. He said he served on the Veneta Park Board, and water was crucial to Veneta's ability to take care of its current parks, along with helping Veneta to provide more parks and open spaces. He expressed concern that without the contract, Veneta would lack the water needed to fight local fires. He said access to a secure water supply would allow Veneta to be more independent and help give it more opportunities for local employment.

Carrie Connelly, 975 Oak Street, Suite 975, Veneta City Attorney, submitted her written testimony speaking to whether the proposal comported with existing Oregon, County, and local land use law.

Mayor Piercy closed the public hearing. She thanked those who offered testimony.

**8. ACTION:
An Ordinance Concerning Assessments for Street Improvements**

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5038 concerning assessments for street improvements included as Ordinance Version C, and moved to amend Ordinance Version C to reduce by 25 percent the assessment of residential and nonresidential parcels located on a previously improved dead end street or cul-de-sac as shown in Attachment D.

Councilor Clark said he continued to oppose assessing residents for a street improvement project twice due to the geographic location of their home.

Ms. Taylor did not believe the ordinance would result in double assessments. She believed the system was still basically unfair but the changes before the council made it fairer. She said those living on cul-de-sacs and dead-end streets who could not travel anywhere without the street being improved should also pay. She said such residents were the most insistent Crest Drive should be improved but they did not have to pay anything.

Ms. Taylor moved, seconded by Councilor Solomon, moved to amend the motion to delete the amendment to reduce by 25 percent the assessment of residential and nonresidential parcels located on a previously improved dead end street or cul-de-sac as shown in Attachment D.

Roll call vote: The vote on the motion was 4:4; Mr. Zelenka, Mr. Pryor, Mr. Clark, and Mr. Poling voting no, and Ms. Solomon, Ms. Taylor, Mr. Brown, and Ms. Ortiz voting yes. Mayor Piercy cast a vote in opposition to the amendment and it failed on a final vote 5:4.

Councilor Zelenka asked Mr. Schoening questions clarifying the details of the assessment deferral program.

Councilor Zelenka, seconded by Councilor Brown, moved that the deferral of street assessment first go to senior and low-income qualifying people and then to others.

City Attorney Glenn Klein recommended the council postpone action until specific text could be developed that reflected the intent of the motion.

Councilor Clark, seconded by Councilor Poling, moved to postpone action to December 15, 2010. The motion passed, 7:1; Councilor Taylor voting no.

**9. ACTION:
Proposal to Name New Ridgeline Property the “Suzanne Arlie Park”**

Councilor Clark, seconded by Councilor Taylor, moved to approve the resolution in Attachment B.

Mayor Piercy noted the public comment the council received was about 2:1 in favor of purchasing the property and 2:1 in favor of the renaming proposal.

Councilor Taylor said she did not find the reasons cited in support of renaming the park to be sufficient to support the proposal. Other citizens had also made community contributions. She supported an open naming process through which citizens could make suggestions for names. She pointed out the City Council had just adopted a naming policy and she believed it should be adhered to.

Councilor Brown said he did not know Ms. Arlie but it appeared from the e-mails the council received that she was a fine person. However, there were many fine people in the community who volunteered their time and money. He felt the proposal was inappropriate. He supported the purchase but not if the seller demanded that the park be named after Ms. Arlie. He wanted to postpone the naming process until after the sale. He found the naming requirement to be offensive and willing to walk away from the purchase. He thought it was bad policy to accept the proposal.

Councilor Clark suggested that over time the naming controversy would be forgotten and people would only remember that the council purchased it at a very good price. He found the purchase opportunity to be a once in a lifetime opportunity. He said the parks and open space bond was intended to purchase such properties in the area in question. Mr. Clark thought that the purchase was a wise long-term investment. He supported the motion.

Councilor Poling believed the council had followed its naming guidelines, which allowed it to name something for someone living who had made extraordinary community contributions. The appropriate application process was followed. He agreed with those who said Suzanne Arlie was an extraordinary person. Councilor Poling supported the purchase and renaming proposal.

Councilor Zelenka reported he had polled those in attendance at neighborhood organization meetings about the topic, and the Amazon and Laurel Hill Valley associations supported the purchase overwhelming. He believed the criteria in the policy were difficult to address because it was hard to say if someone was extraordinary or if their gift was of an extraordinary nature. He suggested the language should be deleted or made more explicit as it was difficult to apply. He supported the motion.

Councilor Taylor wanted to buy the land. She thought others deserved the honor of having a park named after them more. She believed that if the City did not buy the land it would remain on the market and could be acquired in the future.

Councilor Pryor did not object to revisiting the policy. The issue boiled down to a matter of preference for him, and he respected all the councilors who had a preference. He was happy not to have to make the decision alone. He noted his own association with the nonprofit community and commended Ms. Arlie's extraordinary contributions. She had done things people would never know about. He thought that the park name was okay because Ms. Arlie was a great person.

Councilor Solomon agreed that Ms. Arlie was a remarkable person and she was pleased to be able to vote for the motion.

Councilor Ortiz felt uncomfortable about the subject initially but the more she considered the issue, she believed ten years from now people would not remember the naming controversy or who the park was named for. She suggested what really mattered was the legacy that one left behind. She was comfortable with the naming proposal.

Mayor Piercy said the property in question would be open space for the entire community. She appreciated that the City had the opportunity to purchase the property and the things that Ms. Arlie had done in the community.

Councilor Zelenka said that unless the council accepted the naming proposal, there would be no park. He did not particularly care for that, but believed the result would be a legacy park for the community's grandchildren. He did not want to lose the opportunity that had been presented.

Councilor Clark agreed with the mayor that the park was a resource for the entire community.

Councilor Taylor said she was not voting against buying a park but against being forced to name the park for the person selling it.

Roll call vote: The motion passed, 6:2; councilors Taylor and Brown voting no.

Mayor Piercy adjourned the meeting of the Eugene City Council at 10:15 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)