

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

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

Agenda Item Number: 2A
Staff Contact: Kim Young
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ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the January 26, 2011, Work Session, February 8, 2011, Joint Meeting of the Eugene City Council, Metropolitan Policy Committee, and Lane Transit District Board of Directors, February 9, 2011, Work Session, February 14, 2011, Work Session, February 16, 2011, Work Session, February 22, 2011, Public Hearing, February 23, 2011, Work Session, February 28, 2011, Work Session, February 28, 2011, Regular Meeting, March 14, 2011, Work Session, and March 14, 2011, Regular Meeting.

ATTACHMENTS

- A. January 26, 2011, Work Session
- B. February 8, 2011, Joint Meeting of the Eugene City Council, Metropolitan Policy Committee, and Lane Transit District Board of Directors
- C. February 9, 2011, Work Session
- D. February 14, 2011, Work Session
- E. February 16, 2011, Work Session
- F. February 22, 2011, Public Hearing
- G. February 23, 2011, Work Session
- H. February 28, 2011, Work Session
- I. February 28, 2011, Regular Meeting
- J. March 14, 2011, Work Session
- K. March 14, 2011, Regular Meeting

FOR MORE INFORMATION

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MINUTES

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

January 26, 2011
Noon

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling, Chris Pryor, Alan Zelenka, Pat Farr.

Her Honor Mayor Kitty Piercy called the January 26, 2011, work session of the Eugene City Council to order.

A. WORK SESSION: Envision Eugene Update – Environmental Stewardship

City Manager Jon Ruiz introduced Rusty Rexius, Larry Banks, and Kate Perle of the Community Resource Group (CRG), who were attending the presentation to offer the council their perspective on the topic. Planning Director Lisa Gardner, Metro Community Manager Carolyn Weiss, Associate Planner Heather O'Donnell, Senior Planner Rob Hostick, and Climate and Energy Analyst Matt McRae were also present for the item.

City Manager Ruiz led the council through the first part of a PowerPoint presentation on the Environmental Stewardship element of the Envision Eugene process, and Mr. Hostick and Mr. McRae continued the presentation by framing the environmental stewardship concept in more detail. Councilors asked questions to clarify the specifics of the information presented.

Mayor Piercy solicited comments from the CRG members present.

Mr. Banks said that architects such as he had “drank the Koolaid.” They believed in the information that had been outlined in the presentation and were striving to convince people it made sense to address the issues involved. He said it was important to watch the community’s investments in its transportation system, and to use the system to facilitate greater density within the current urban growth boundary and close to the core. He anticipated that transit corridors would create synergy for the investments made. Mr. Banks suggested that fixed-route transit was an incentive for private development. He acknowledged there were questions about some of the data supporting the process and that the process might not be perfect, but he believed that overall the process had been very good.

Ms. Perle said the Envision Eugene process had been an educational opportunity as well as an exercise in coalition building. She then went on to speak of her interest in preserving agricultural land for local food production and suggested that the community needed to go beyond the State requirements for 20-year land supplies to ensure a livable, thriving community in the future and make the best use of the land inside the UGB. She believed that would result in more gain for the community and create a synergy that led to a viable, livable, workable, compact community.

Ms. Perle acknowledged she had been skeptical at the outset of the process but over time had been convinced of its utility and believed it could lead to a workable future.

Mr. Rexius spoke to the differing points of view the process had brought together. He said if the recommendations the CRG forwarded to the council were considered viable by the council, a community fight would be avoided. He hoped to avoid a community conflict over the process recommendations.

Mr. Rexius suggested that the challenge to densification was that the goal was at odds with the City's current transportation planning approach. If the City were to place more people in a small area, it would have more people to move around. He emphasized the importance of addressing that need, and hoped the council was considering that issue.

Mr. Rexius discussed his concerns about the industrial land supply, emphasizing that they were more focused on quality than on quantity. He said the CRG had discussed the potential of land assembly to create bigger parcels in the core, but that could bring industrial traffic downtown where it was not wanted. He said the community needed to locate its industrial land in a place where its traffic impacts could be minimized.

Mayor Piercy said she had been impressed with the contributions of all the CRG members, who clearly loved and valued their community and wanted to ensure that it had a good future. She also commended the City staff who worked on the process.

Mayor Piercy solicited council comments and questions.

Mr. Clark expressed concern about the potential liability that Eugene might face because of its assumption of responsibility for unimproved County roads in the urbanizing area. It would cost a great deal to bring those roads to City standards, and they represented a large liability for which there was no funding. He also expressed concern about the dry wells in the Santa Clara area because they did not meet new guidelines for stormwater runoff. He asked if the City had a plan to address the dry wells. Ms. O'Donnell said staff was aware that new standards required greater separation for drywells, and was working to identify those wells and to develop a plan for their replacement. She noted the potential impact of the issue on the City's buildable land supply.

Mr. Pryor expressed appreciation for the aspirational nature of the process and the way it had been managed. He said that Envision Eugene was the community's attempt to plan intentionally and collaboratively for the future. He felt that such planning was critically important. He thought that staff and the CRG were going in the right direction.

Mr. Zelenka said the nature of the CRG process led to compromise and agreement. He applauded staff for the process, and said it had worked out very well. He commended both staff and the CRG, adding that the amount of time CRG members dedicated to the process demonstrated their love for the community. He felt more confident about the process now than he had earlier because he believed the process had begun to "gel." He commended the civility of the CRG process.

Mr. Zelenka also praised the staff presentation, saying it had been clear and specific about what the process meant. He underscored the importance of an integrated land use and transportation approach.

Mr. Zelenka expressed appreciation that the early work done on infill and opportunity siting was beginning to be integrated back into the process. He commended the manager's approach as both aggressive and realistic.

Mr. Farr also commended the CRG process. He said that initially, some members were resistant to the process, but over time that attitude had changed. He said that despite the different positions that different members came from, CRG members had moved toward each other's positions. He was optimistic and confident about the work of the CRG.

Mayor Piercy adjourned the work session at 1:10 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

ATTACHMENT B

MINUTES OF JOINT PUBLIC HEARING WITH
EUGENE CITY COUNCIL
METROPOLITAN POLICY COMMITTEE
LANE TRANSIT DISTRICT BOARD OF DIRECTORS

Tuesday, February 8, 2011

Pursuant to notice given to *The Register-Guard* for publication on February 3, 2011, and distributed to persons on the mailing list of the District; the Eugene City Council, the Metropolitan Policy Committee, and the Lane Transit District Board of Directors held a public hearing on Tuesday, February 8, 2011, beginning at 5:30 p.m., at the Hellman-Wilder Room of the Hilton Eugene Hotel and Conference Center at 66 East Sixth Avenue, Eugene.

Present:

Eugene City Council

Mayor Kitty Piercy
Betty Taylor, President
George Brown
Mike Clark
Pat Farr
George Poling
Chris Pryor

Absent:

Andrea Ortiz
Alan Zelenka

Lane Transit District:

Mike Eyster, President
Greg Evans
Dean Kortge
Ed Necker
Michael Dubick

Absent:

Gary Gillespie
Doris Towery

Metropolitan Policy Committee

Hillary Wylie, Chair
Jay Bozievich
Sonny Chickering
Greg Evans
Mike Eyster
Sid Leiken
Christine Lundberg
Sheri Moore
Kitty Piercy
Mark Pangborn, ex officio member,
and LTD General Manager
Jon Ruiz, ex officio member
and Eugene City Manager

Absent:

Gino Grimaldi
Alan Zelenka
John Thiel
Liane Richardson
Don Schuessler

WELCOME, INTRODUCTIONS, AND ROLL CALL – Mayor Piercy welcomed everyone and introduced the members of the Eugene City Council.

Ms. Wylie welcomed those present and asked members of the Metropolitan Policy Committee (MPC) to stand and identify themselves.

Mr. Eyster welcomed everyone. He introduced the Lane Transit District Board members and called roll. He explained that all three bodies were present at the public hearing because all of the bodies would have to approve any action on the proposed West Eugene EmX, and it would be helpful for all

of the representatives to hear the same information from the public.

CALL TO ORDER – Mayor Piercy called the Eugene City Council to order; Ms. Wylie called the MPC to order; and Mr. Eyster called the LTD Board to order.

JOINT PUBLIC HEARING: WEST EUGENE EmX

Scott Bocci, Rockridge Loop, Eugene, stated his belief that mass transit was necessary but EmX was not a good use of tax money and right-of-way resources. Most arguments he heard in favor of EmX were actually stronger arguments against it, as follows:

- 1) It would increase ridership. It would increase ridership by only 4 percent through 2031; while it was estimated that the population would increase by 10 to 12 percent during that same period, resulting in a loss of market share. This did not justify the investment.
- 2) It would be good for business. He has owned Grays Garden Center for nine years, and no bus rider ever made a significant purchase at his business. He has had a bus line outside of his business and never had a single customer from the bus enter his business.
- 3) The EmX lanes would be disruptive. EmX would take half of the parking from Grays and would force the business to close.
- 4) EmX is a good investment. Current cost estimates of \$80 to \$90 million means \$150 million. The bus is not practical for a large percentage of the population. EmX uses lanes, tax dollars, and a large amount of resources to serve a small percentage of the population while it is not significantly faster than a standard bus.

Julie Daniel, (address not given), stated her support for EmX expansion. She identified herself as the director of a non-profit located close to a bus line, and said many of their clients come on the EmX. There are differences between rapid transit and regular bus service. Only a small percentage of the community will switch from cars to buses. Rapid transit offers a different alternative, and gives people the opportunity to behave as car riders or bike riders because the EmX will come every 10 minutes, allowing spontaneity to ride the bus. There has been an increase in ridership in other communities where rapid transit had been adopted. It is not hard to get people to change to rapid transit. It is important to think about a solution that would solve a problem and serve the community for many years. West 11th Avenue will change, and it is important to install the infrastructure for the future. This is a sustainable, innovative solution, which removes barriers to public transit and should be looked at. From an environmental perspective, it would reduce the carbon footprint by getting people out of their cars.

Kelly Lovelace, Morningstar Road, Pleasant Hill, has been a business owner in Lane County for many years. He has employed many people and paid the LTD payroll taxes. He is not against the city bus as it is good for some people. EmX is a waste of federal tax dollars. Local officials should consider that in making their decision. He does a lot of business in West Eugene and hauls equipment that he could not haul in a bus. The businesses buy and use property in accordance with city ordinances. Now businesses are being told that the parking lots they were required to have, do not count. The rules were changing and people do not like it. The community cannot afford the system. We should take the system that we have and make it more efficient.

Casey Dresser, Robin Court, Creswell, reviewed her experience with EmX as the owner/operator of Springfield Cleaners, which has been in her family since 1963. EmX has been frustrating and devastating. It was four-and-a-half years ago when she learned that the EmX line would eliminate all of her parking on Pioneer Parkway. Sixty percent of her customers parked on Pioneer Parkway. She took the information to the City of Springfield, and asked them to reconsider the project. LTD did accommodate the business and provided some parking spaces. In 2010 her corner turned into a demolition site, and for weeks there was no parking near the cleaners. Numerous customers did not

patronize her business during that time. There was a lot of heavy equipment, and Main Street and Pioneer Parkway were torn up. Customers drove by and sales dropped. She asked LTD who would compensate her, and she was told that the loss was part of the cost of doing business and was her problem. She said she should not have had to carry that loss, and that it was LTD's cost of doing business. She received no help from the City, the County, nor the Governor's Office. Three stores on her block went out of business during the construction period. It would be a nightmare for the businesses on West 11th Avenue. A year has passed since construction ended on Pioneer Parkway, and her business has not come back.

Lt. Robert Powell, Mueller Road, Oregon City, recommended the No-Build option. The intent of EmX appears to have a predetermined outcome. The money is not in existence. The King County Transit System saw no fuel savings in a one-year study. Articulated buses were not good in snow and other inclement weather. He used the standard city bus in Oregon City, and it was working well. The estimate that \$400,000 would be recovered over 20 years was not realistic. Taxpayers would be forced to cover costs. The West 13th Avenue route invaded the neighborhood. West 11th Avenue could be rebuilt for one-third the amount of money. EmX was not sustainable. Private vehicles were becoming more fuel efficient. He said he would provide evidence for his position.

Stefan Kwiatkowski, West 16th Avenue, Eugene, displayed a graph to the public officials. He stated his opposition to No Build. In 2050 costs to maintain same frequency will take off like a rocket for the West 13th Avenue project. He feared the LTD system would turn into a system similar to the Bend, Oregon, system. The No-Build crowd said that it was a waste of taxpayer money. If we did not take the money, it would go to Alabama; so we might as well take it. It was foolish to reject the gift. BRT is quicker than the regular bus because the driver does not collect fares and drivers can influence traffic lights. He said he rides the West 11th Avenue buses, and they are always full. People in wheelchairs are often turned away because all of the wheelchair bays are full. He is boycotting the businesses that are involved in the No Build campaign. The community will shoot itself in the foot by going with the No-Build option. He observed that there is no one in the No-Build crowd attending tonight's public hearing that is under 30 years old.

Pat Hocken, West 11th, Eugene, representing the League of Women Voters, said that the League's office is located in the area being studied for the EmX route. Bus rapid transit is essential for Eugene's metropolitan area. The League takes positions on issues only after it has researched and discussed them. As part of the League's research on EmX, about 50 members toured route alternatives and rode on EmX in the Franklin corridor. BRT has been a key component of the regional transportation plan since 2001 and has received a comprehensive review during the process. The Franklin and Pioneer Parkway EmX lines provide a clear illustration of the benefits to the community. The League supported an extension from downtown Eugene to West Eugene. LTD has provided an extensive public outreach program and has worked diligently with property owners, residents, and with other interested citizens to mitigate the impacts of the proposals. The process has been thorough and open. The League favored the West 13th Avenue to West 11th Avenue option. The projections for this alternative, when compared to the No-Build alternative, showed a 49 percent reduction in the estimated time for a round trip in 2031 and an 11 percent reduction in automobiles for that corridor. The alternative would dramatically improve ridership and reduce operating costs. The League supported the alternative even though it would remove on-street parking in front of the League's offices on West 11th Avenue. The City of Eugene adopted a policy designed to improve access for pedestrians and transit riders by requiring buildings to be built practically on the street. This has created barriers for the right-of-way for EmX. She asked the City to review that policy. The community has a wonderful opportunity to continue to develop the BRT system.

Jim Wilcox, West 31st, Eugene, Director of Bike Lane, said the group he represents supports the West Eugene EmX expansion because they believe that in order for more people to bike, it needs to

be easier than driving. When multi-modal transportation, such as biking and mass transit, is integrated, more people bike. There is \$80 million spent in Lane County on gasoline per year, and that money leaves the community and is not available for the local economy. When people have more money in their pockets, they are more willing to spend it on education. The multiplier effect means that every dollar kept in the county is spent many times over. The Chamber of Commerce determined that for every dollar spent, \$3.00 goes into the local economy. If 10 percent of the \$80 million stays in the county, the county will benefit. His experience with EmX has enabled him to extend his cycling. His 78 year-old mother lives at the Olive Plaza Apartments, and EmX gives her more access and freedom. He and his mother support EmX.

Donald Peck, Spyglass Drive, Eugene, is the owner of a building at 2911 West 11th Avenue, the site of Papa Murphy's pizza. The property owners on West 11th Avenue have said all along that they supported buses on West 11th Avenue but that they did not support EmX buses or the plan. EmX would make the congestion on West 11th Avenue worse than it was now. The group disagreed with the financial feasibility of widening West 11th Avenue at this time. Seventy million dollars would come from the federal government and \$30 million would come from the State lottery funds. The lottery funds were used primarily for education. The need for EmX has not been proven. There are not many cars in the parking area by Fred Meyer for those who rode the bus. He did not see the need for EmX on River Road. There would never be a need for a bus for 60 people. LTD was funded by payroll taxes. EmX would force some of the existing business to go out of business, and buildings would be torn down.

Eric Gunderson, Dukhobar Road, Eugene, lives in west Eugene and is a local business owner. He travels on the bus on West 11th Avenue daily and supports EmX. All transit systems are built with tax dollars. Without EmX, there would be more traffic and eventually there would be a need for more traffic lanes for cars, which would result in loss of private property along the roadway. This was not about spending tax dollars on EmX, but about making smart decisions for our transportation future. We could choose more lanes for cars and more signals at intersections; or choose a diverse transportation system that is innovative, cheaper to operate than cars, and more economical than the current bus system. Other cities that have built diverse transportation systems and engaged in smart growth have made real changes. The population of Portland drove 28 percent fewer vehicle miles per year than the national average by choosing to ride buses, bikes, rail, and street cars. Businesses in Portland seek transit routes. Eugene is not Portland but could benefit from less traffic. There are many great businesses along West 11th Avenue. It is home to many non-profits, and offers a diverse range of business and industries, schools, churches, and recreation centers. It is the gateway for travelers from the west and the airport. EmX is the right choice for the benefit of everyone in the western portion of the city. He asked everyone to reopen their thinking and consider 20 years from now when there would be more people and more traffic. He urged support of EmX in West Eugene.

Mark Callahan, Mahlon Avenue, Eugene, is a resident, voter, and taxpayer in Eugene. He is against the building of EmX in West Eugene. He is not against transit service for 3 percent of the people. But the plan to spend \$100 million to build a system that would struggle to operate does not make sense. The community cannot afford to gamble by embracing the mentality that *if we build it, they will come*. Our schools are closing, teachers are losing their jobs, and local unemployment has remained in double digits in the continuing crippling recession. By eliminating routes and cutting stops, fewer people would use the system. Seventy million dollars from the Federal Transportation Administration (FTA) and \$30 million from the State would require further earmarks and need to be scrutinized. Lottery dollars support schools and economic development. He has two daughters in the 4-J schools, and when he buys a lottery ticket, he wants the money to go to schools and not EmX. The alternatives analysis is full of errors.

Kevin Prociw, Williams Street, Eugene, member of Lane County Citizens for Responsible Government, uses the bus to go to work regularly. He stated his support for EmX, noting that it has many good aspects. It looks cool and sleek and has minimum wait times, but there are many unanswered questions. He questioned how operating costs could be less than traditional service since the buses were costlier to purchase and they were more expensive to operate. He had observed the Gateway route which carries only 10 passengers during non-peak hours. He questioned projections for ridership. Routes, especially the Breeze service, have been cut. He is concerned about ridership of the current system through the West 11th Avenue corridor, which was minimal during non-peak hours. He questioned LTD's transparency, noting questions on its Facebook page went largely unanswered. This is a dividing issue in the community, and he encouraged a "no" vote. He said we should take more time to work out the details and achieve success in the community.

Elaine Zablocki, Ferry Street, Eugene, is a private citizen who is getting older. She will drive less in the future, and expects the cost of gas to go up. She will not buy an electric car. She asked the business people on West 11th Avenue to please think about what would happen if one-third of their customers were no longer driving. She bought plants from Grays and brought them home on the bus. She suggested that in the future, buses should accommodate people who get on buses with shopping carts. She wants to see more stores have delivery services, which presents a private enterprise opportunity for businesses. She said the blue van provides transportation to the airport and wants to see that same service to Valley River Center and Fred Meyer.

Rusty Rexus, Panorama Road, Springfield, stated his support for EmX. He supports the many challenges in providing this important service. People are concerned with property rights, business interruptions, and operational costs. LTD has worked diligently to address those concerns. In the long term, the community will be faced with a growing population with confined space to house and employ people. Those challenges can be met. The greatest challenge will be to figure out how to move a growing population reliably, effectively, and efficiently. It is important to invest in a public transportation system, which helps meet housing and employment needs. It is important to develop a transportation corridor, and rapid transit is an important element of the corridor. A dense and livable downtown has long been a goal of the City. EmX will help make that become a reality. There are many people who will continue to live on the edges of the city and will need to drive. A rising student population and successful business recruitment needed a viable transportation system.

Jack Meacham, West 28th, Eugene, rides and supports EmX. It is important to think in terms of quality of life for the future. Eugene's population will increase in the next decade, and traffic congestion will be bad in 2020. Cars are getting more expensive for families to purchase and maintain. The cost of gas will go up, resulting in gas shortages. In a decade, substantially more Eugene residents will have to rely on public rapid transportation, and using the bus will become a necessity for many people. Decades ago many people thought covered wagons were sufficient to move people and goods, and railroads were a waste of tax money. More recently, many people thought slow, two-lane highways were sufficient; and many of those cities were by-passed by the interstate highway system. The automobile age is coming to a close. Without quality public transportation, Eugene will no longer be competitive with other cities. It is important to extend the competitive quality of life to attract business and jobs to the community.

Larry Reed, Scenic Drive, Eugene, stated his support for EmX. He had written a letter to the City Council and the Envision Eugene group. He asked the City Council to read the letter again. LTD was not building rapid transit to serve single-family, detached housing neighborhoods. EmX was not designed to maintain the status quo, but for 20-30 years in the future. He asked what was the alternative, and if the West Eugene Parkway or another parkway project would be revisited. He asked if a much larger expansion of the urban growth boundary (UGB) and continuation of single-family, low-density residential development in farm land and other resource land would be lobbied

for. He did not think the community would come up with a different solution. EmX is not requiring business to change how they do business today, but the businesses should be thinking about the future. He encouraged the officials to support BRT.

Laura Potter, (address not given) Director of Business Advocacy for the Eugene Area Chamber of Commerce, stated that she represented the Chamber. The Chamber has been involved with transportation efforts in the community that resulted in moving forward with EmX as a key solution for long-term transportation. While many people question whether EmX is the right choice, the Chamber believes it is. The Chamber believes that a mass transit system like EmX is crucial to the long-term economic development of the community. The Chamber supports the West 11th Avenue /West 13th Avenue route. The Chamber expects that businesses will be dealt with and compensated fairly.

Bill Ward, Eugene, lives in Eugene for the quality of life, which could not be valued by being cost effective. All strata of income have a good quality of life, which is due to mass transit. If we do not build mass transit now, in the future, cars will be stuck in traffic jams.

J. P. McNutt, Willagillespie, Eugene, stated that he is not against mass transit but is against EmX. The country is in a recession, and LTD wants to spend \$100 million to build EmX. LTD lost \$3 million last year, laid off bus drivers, and cut routes. It has not been proven that EmX is needed for the future growth of Eugene. EmX is not the best way to do that. Existing buses can adapt easily to any increases in population, ridership, and route changes. West 11th Avenue is filled with cheaply constructed, unattractive buildings. It is not a residential neighborhood. An EmX route to nowhere would destroy many of the businesses, limit access, and obstruct traffic. People will avoid the route and get used to going someplace else. The City Council voted down the West Eugene Parkway, which the citizens passed twice. The citizens of Eugene added up the costs and decided that EmX would cost too much. He owned property on the bus route, and the business leasing it did not renew the lease because of EmX.

Bob Johnson, West 16th Avenue, Eugene, stated that he is a resident of Eugene but not a business owner. He strongly supports public transit but does not support the proposed EmX route in West Eugene because of the costs and impacts to small business owners on the route. Businesses would lose 20 percent of their parking. Each segment will increase in cost. He said the community should consider the EmX proposal minus dedicated lanes as well as using more buses, recessed loading stations, and articulated buses. He said that the LTD radio ads addressed congestion on West 11th Avenue using a state report for documentation. The state report said that a future choke point would be caused by commuters traveling from Veneta to Eugene to work. LTD already had a route to Veneta that should be addressed. He did not think commuter congestion would be solved with buses.

Mark Rabinowitz, Eugene, said that the decision for this project of providing better transit would not be made in this room but by the Federal Transit Administration. Both sides of the issue have merit. LTD has not considered the increase in oil prices in its cost estimates. The cut service and raised fares will not encourage people to use the service more. The Lane Council of Governments consistently does poor planning with our money. They exaggerate the rate of traffic increase. The oil used in Oregon comes from Alaska, which peaked 22 years ago. He suggested that the Transportation System Management option be used. Peak oil should be taken into consideration in the Environmental Impact Statement for the project. State law requires integrating land use and transportation, but that was not done here.

Jeff Lozar, Eugene, stated his support for No Build. As a business owner, he has experienced a slowdown. He pays his tax contribution to LTD and thought he was funding buses. LTD took the money intended for buses and bought newspaper, radio, and billboard ads. This is a boondoggle

project to spend the taxpayers' money. LTD is reaching into the taxpayers' wallets to tell the taxpayers what to think. The taxpayers are not stupid. He resents being told what to do via a public relations campaign. His opinion of LTD has been destroyed by the ad campaign because it shows how irresponsible LTD is with money that is supposed to be used to run buses. This is an irresponsible use of money, including paying for art projects and a Facebook page. He has accepted an offer to chair the Lane County chapter of Americans for Prosperity, which will train the silent majority.

Erin Ellis, South 32nd Place, Springfield, urged support for the No Build option of the Locally Preferred Alternative. EmX is a single mode improvement to the detriment of other modes of transportation. It is irresponsible for government to authorize any recommendation for the project that would spend millions of dollars of taxpayers' money and destroy private businesses. The LTD vision statement states that it wants to provide the "best transportation system available." However, it has cut 20 percent of basic bus service, while at the same time pursuing this project that would cost a lot. We need to take into account the No Build analysis for 2031 that assumes there will be no other transportation improvements for the next 20 years (which is unrealistic). She could not find data that shows greenhouse gasses will be down. She does not understand how using underutilized 60-foot buses will save money. LTD claims EmX will reduce traffic congestion, but Eugene has the best commute time when compared with other cities. Businesses located on West 11th Avenue take advantage of the consistent vehicular traffic as it represents potential customers. She asked people in the audience who supported No Build to stand. She submitted a list of signatures of those who opposed the project. The West Eugene EmX is a flawed plan.

Paul Conte, (address not given), spoke as chair of the Jefferson Westside neighbors and said he would submit written testimony after he received information previously requested from LTD regarding capital and operational costs. He asked the officials to review the information on the Jefferson Westside website, which compares data and assumptions for West 6th/7th Avenue and West 11th/13th Avenue. This analysis provides a scenario-based approach that is a realistic assessment of the alternatives. The basic difference is that the LTD focused on one additional route to the northwest. The analysis shows that the West 6th/7th Avenue route will have lower capital costs, lower operating costs, fewer negative impacts, higher ridership, and will be accessible by more people. The reasons for preferring the West 6th/7th Avenue route are overwhelming and will save \$30-\$40 million in construction costs and eliminate negative impacts to close residential areas.

Ruth Koenig, (address not given), said she was already older, and giving up her car for the safety of others. The American Association of Retired People reports that Eugene is friendly to the elderly population. LTD needs to think about boomers who are here. She used to use a bike to travel around the city for attending church and shopping, but is no longer able to do that. She uses the bus successfully to get downtown, to the art museum on campus, and to the hospital from the core of downtown. Environmental issues need to go to the top of thinking for the project. She is sorry for people who will lose money, but she wants good rapid transit, and thinks EmX is phenomenal. She owns some property along the proposed route, some of which will be lost to the project, but she will have to make accommodations.

Jack Radey, Garfield Street, Eugene, thanked LTD for providing superior service. He opposes the West 11th Avenue EmX. He does not like government spending on bad ideas. The EmX project is based on projections, and he is hesitant to believe projections. He urged caution, noting the faster EmX service to downtown Springfield has resulted in cuts in other routes.

Pauline Hutson, Taylor Street, Eugene, represented residents for responsible transportation. She described public transportation in the Salt Lake City area, with a 100-mile long corridor. She expressed concern over children becoming homeless. There are too many planners, developers, and transportation people who need to justify their jobs to make money. LTD staff and Board

members went to Washington, D.C., on public money. They are using public money on a public relations campaign. She asked if LTD has a commercial interest in development along the proposed route. Another hearing is needed. Eugene needs the right form of transportation.

Marjorie Scott, West 6th, Eugene, owns property at West 6th Avenue and Chambers Street. She opposes EmX because the plans and projections are flawed. The numbers are fluid and changing. A lot of money has been spent on educated guesses. Time is needed to match the timing of Envision Eugene. The mitigation process is a feel good process, with miles of right-of-way to be acquired. Property owners and small business owners had not had an opportunity to give their positions. She has only begun to fight.

Serita Angulo, (address not given), is a Springfield resident who has been impacted by EmX. She is familiar with mass transit and supports it. In Springfield, residents and businesses lost trees, and the road is closer to fences. LTD is a spin doctor. On the drawings it looked like many trees would remain but they had been removed. The communication was presorted flyers sent to residents rather than the property owners. She would have been involved if she had been informed. Others in her neighborhood also felt that they had not been informed. She encouraged residents of West Eugene to scrutinize information received. The outcome will be the same; decisions were already made and would not change.

Sue Scott, Grant Street, Eugene, lives and works in west Eugene. Six miles of trees will be cut down in the corridors, and the loss to wildlife habitat and food would be devastating. She said LTD mitigation plans should not be trusted. She does not think the loss of so many trees could be mitigated, and the threat of eminent domain will be used. The City and LTD will take the property for their plans. The West 11th Avenue option will impact all of the corridors to save six minutes on the bus. Another public hearing is needed. Eugene needed the right bus system with more, smaller buses everywhere. The lottery money should go to the schools.

David Wade, Villard Street, Eugene, is a resident of Eugene who uses LTD and EmX daily. He supports EmX. He said if people thought disabled and poor people are entitled to fast, frequent, reliable transportation, they should vote for EmX. If people are willing to leave their cars at home to reduce carbon dioxide and save money on sewers, roads, and signs; and if they should get fast, frequent transportation, they should vote for it. He said we should not wait for perfection and should not study the project indefinitely. He said that if the impact on business is sufficient to defeat 30 years of transportation planning, then there should also be no sanitary sewer. He thought there probably is not a viable alternative.

David Kleger, Golden Garden Street, Eugene, said that he had been riding the bus for more than 30 years. He rides on West 11th Avenue daily, and there is hardly a day when there are empty seats. People bang into him because they are standing, there is not enough room, and people will not give up their seats. He regularly sees people using walkers and wheelchairs denied boarding because the bays are filled, and the situation is getting worse. There is no source of funding to pay drivers and travel times have doubled in 30 years. There are regular problems with connections, with longer wait times in the afternoons. No Build is anti-transit and anti-customers.

Rich Inlove, West 4th Avenue, Eugene, moved to Eugene from a place where rapid transit is an afterthought rather than a forethought. If EmX provides solutions to problems for the community, there will be complete streets for transit. Complete streets will facilitate multi-use, which means rapid transit, vehicular transit, and bicycle transit. This will facilitate more business, and people will be able to spend their saved money on products at local businesses.

Edward Winter, Doane Road, Eugene, lives west of Eugene and takes the bus to the Fred Meyer Park & Ride. He would love to see EmX on West 11th Avenue. EmX is the perfect fix for Eugene's

long-range plans. It will encourage infill development, support more multifamily housing, support economic development, bring jobs to the community, and reduce greenhouse gases. The community needs EmX. It will provide fast, efficient, accessible transportation to employees, students, and shoppers.

Art Robinson, Cave Junction, said Eugene is an outstanding city and home to an outstanding university. It has an excellent public transportation system, which needs to continue to improve. He said the community should consider changes for one or two years and not spend \$100 million for projections for 20 years from now. The country is short of money and is having trouble paying for social security, Medicare, and veterans care. The country needs to save money right now. The community may not need buses 20 years from now. Each community needs to do its part and consider how to solve the immediate problems at the lowest possible price. There are lots of other things that are important, and everyone needs to tighten their belts.

Lela Trope, Hayden Bridge Road, Springfield, said she has been to lots of meetings but has heard no bottom line numbers from LTD. The bus drivers do not like EmX and do not like the EmX vehicles. She agreed with Mr. Robinson that the country does not have the money now. Eugene is not growing at the rate of Seattle or Portland, and we are driving people out with taxes. The infrastructure funding being offered by Congressman Peter DeFazio for capital improvements will not fund maintenance and other improvement costs. The existing roads cannot handle the added weights.

Kono Wong, West 11th, Eugene, has been in business for 25 years and has a restaurant on West 11th Avenue. He stated his opposition to EmX expansion. Although it is good and prudent to look out 10 or 20 years, the reality of today's struggling economy makes it unrealistic. He is focused on having to lay off another employee, and whether he has enough money to pay rent. He is struggling to keep up on day-to-day expenses. EmX construction will be devastating to him. It will not be a temporary inconvenience for his business, but will be the final nail in the coffin. Businesses on West 11th Avenue are not doing well now. We should look at this project when times are better.

Jennifer Hayward, University Street, Eugene, stated her support for moving forward with EmX because it would provide quicker and more convenient access to West Eugene. She is a Lane Community College student and believes that EmX would help students going to campus and result in less congestion.

Lisa Sansevere, West 18th, Eugene, had a letter. She has not talked with people who live and have businesses in West Eugene. She asked where the money would come from. The City of Eugene does not have the money. EmX should not be there. People should look at the West 11th Avenue choke and turning points. EmX will destroy Walmart and Target. Springfield went through the same thing. She advised that the deciding bodies should think before doing something. She does not want EmX, and she believes other people do not want it either.

Jon Hinds, 5th Street, Springfield, stated that he is a preschool teacher and LTD Budget Committee member. He supports EmX. The cost of doing nothing today will be more costly in 10-15 years. Increased traffic will require a costly realignment of West 11th Avenue. EmX will help with revitalizing the fairgrounds and provide kids in 10 years with a way to travel from the Gateway area to the fairgrounds without transferring. LTD is supporting economic development for the future of the community. He asked where Portland would be without light rail.

Betsy Payne, Jefferson Avenue, Eugene said that she would be impacted by EmX as she lives on Jefferson Avenue. She is concerned that 40 percent of the federal money is borrowed from overseas, creating debt for our children and grandchildren. Bus routes have been cut. The promises

made to people in Springfield disappeared, and LTD will do what they originally planned. She said that buses cannot run in mixed traffic on Jefferson, and LTD cannot be trusted.

Carlis Nixon, Wilson Court, Eugene, stated that she lives in West Eugene and is a public transit user who supports spending tax dollars on transit. She stated her support for rapid transit but not EmX. She wants the City Council to ask LTD for an improved alternate version and add some stops. She said she became an opponent of EmX after using the Springfield EmX. The huge buses are wasteful, and the seating is uncomfortable. There is a need for express buses during rush hours and full-service buses. She questioned the development of wetlands and farmlands. She asked how LTD would pay for the operating costs of EmX. She does not want to lose the current level of LTD service.

Gary Wildish, Quince Street, Eugene, stated his support for BRT. It is important for the entire community. He has been impressed with what LTD has done. He has learned that solutions do not get smaller, but they get larger with time. Everyone wishes this BRT was not the challenge it is, but it is a challenge. If we do not take on the challenge now, it will not get easier and cheaper in the future. He is concerned with the impact on businesses and properties, and it is important to take them into consideration. LTD has done a good job to minimize impacts on businesses. Construction will be tough but it is important to move ahead.

Kim Sawyer, Greenview Street, Eugene, has a business on West 11th Avenue and stated his opposition to the West Eugene EmX. It will disrupt businesses in the area. His business can survive, but others will not. He will have significant decreases in business. His business is down since Hyundai closed. The Hyundai plant was paid for with tax breaks voted on by City Council. When the tax breaks were gone Hyundai disappeared. There is a need for a master plan. Two-thirds of one percent of the people of Eugene are represented in the Envision Eugene process. EmX will cause loss of business, creating problems for deliveries and garbage removal. LTD does not think all things through. He supports buses on West 11th Avenue and rapid transit. He questioned how LTD can afford to run six times per hour on West 11th Avenue with EmX when it cannot afford to run four times an hour now.

Bob Macherione, Brewer Avenue, Eugene, noted an earlier speaker who said, "You are against sanitary sewers if you are against EmX." He clarified that he was 100 percent for sanitary sewers in Eugene. It is obvious that LTD can put out a lot of numbers and efforts to influence people. He questioned how LTD reaches its numbers and said the books have been cooked. LTD uses a fleet average to show that the system will break even in 2021, which is not an accurate measurement.

Jozef Siekiel-Zdzienicki, Taylor Street, Eugene, said that he would finish Ms. Hutson's comments. She had said that Eugene needed the right transportation. LTD should do the right thing and let the schools have the \$30 million from the lottery. Speaking for himself, Mr. Siekiel-Zdzienicki said that TransPlan is just a plan. A plan for the transit corridor needs more detail. In addition to the proposed mitigation measures proposed by LTD, 15-foot easements are proposed for West 11th Avenue for dedicated lanes. LTD wants to build on Highway 99, River Road, West 18th Avenue, and West 30th Avenue. There should be conversations about all of the easements now so that they do not have to be discussed repeatedly in the future.

Kelley Blewster, 5th Street, Springfield, said that she uses EmX daily and pays employer payroll taxes that support LTD. She supports EmX, especially with the West Eugene extension. The end result of the Franklin and Pioneer Parkway routes is a clean and quiet system. She lives near downtown Springfield and owns businesses in downtown Eugene and in Crescent Village. She uses the bus to shuttle her bicycle around town. She proposed a compromise for West 11th Avenue with dedicated lanes for the buses.

Zachary Vishanoff, (address not given), is interested in planning issues. The West Eugene EmX project is a done deal. During the 1990s there was poor leadership at the University of Oregon (UO), demonstrated when they decided to redevelop Amazon housing. Later, Westmoreland housing was sold, and the money was used to buy land on the EmX route and the Joe Romania building. The neighborhood around the first EmX route is now vacant. The UO bought land for the arena. While talking about transit-oriented development, there was no evaluation for the Walnut Station. Mixed-use development near Walnut Station is linked to money laundering with the athletic department. EmX supports the good old boy network and the community is moving backward.

Charles Hibberd, West 11th Avenue, Eugene, said that he owns a business on West 11th Avenue. He counts people on the buses, counting seven at the stop by Riley's Furniture and 13 people during the peak hour. He questioned the need for a bus that carries sixty people when the buses are empty now. He said that most people who support EmX are not from West Eugene. The people who live and work in the area pay the taxes and care about the future. Citizens know what they need, and LTD needs to reassess its analysis.

Irving Weiner, West 11th Avenue, Eugene, has a small family business with 50 employees. LTD wants to impose a transit system that does not fit the needs of the community. LTD is planning a European parkway on West 11th Avenue through his parking lot. He said he feared it is a done deal and it is too bad that businesses have not been included in the decision. The businesses feel disenfranchised. Where are we going with Envision Eugene? The scheme may or may not work. He is not against government employees, but he needs to make a monthly payroll. People need to live by their whit. LTD and the City do not know what is good for business. He encouraged them to step back, rethink, and incorporate the ideas of all the people with the No Build signs, and comply with federal guidelines.

George Cole, West 11th Avenue, Eugene, stated that he has been associated with property on West 11th Avenue for 60 years. He sees the planning and computer models as placebos, with garbage in garbage out, and this is a way to make judgments. In 1997 LTD wanted to take his property for a Park & Ride. It cost him \$160,000 to keep his property. He checks the Park & Ride at Fred Meyer every week. There are 43 parking spaces. Today there were seven cars there at 1:30 p.m., and the number of cars ranged from zero to nine. LTD staff made a mistake on the computer model for EmX. He supports mass transit and EmX, but not on West 11th Avenue.

Zachary Start-MacMillan, Kincaid Street, Eugene, Student Senate president at the UO, said that the Student Senate represented 23,000 students and supported the extension of EmX. Thousands of students ride EmX daily to school and to access services at businesses in the community. The student government funds 3 percent of the LTD budget. The Senate unanimously passed a resolution in favor of urging the City Council and the mayor to support and approve the expansion. He had copies of the resolution for the officials. He said EmX is a valuable resource for the community. Speaking as a member of the Climate Justice League, he said that they are working for real solutions to fight climate change. EmX will help reduce carbon emissions and will help create a better community.

Cortney Mild, (address not given), is a student at the UO and a member of the Live Move student group. She stated her support for the West Eugene EmX Extension on behalf of future students who will need transit services in West Eugene. People who are unable or unwilling to get out of their cars should be in favor of EmX because the more people ride EmX, the more space there will be for others to drive.

Casey Gifford, Ferry Street, Eugene, is a student at UO and a member of the Climate Justice League. She said she came to tonight's meeting by EmX. She supports EmX for current and future students. Many students do not own cars, and businesses on West 11th Avenue are not accessible

by bike. UO students will benefit greatly by EmX as other areas of the city become accessible to them. EmX is a long-term investment, and she has seen that development follow public transit in other cities.

R. Joseph Newton, Eugene, said that no one is offering saturation scheduling because there is no money for it throughout the system. He said that we are running out of fuel, and the fuel we are burning is making the climate unlivable. He said that we should set up a structure now using the good ideas people have. He has studied the construction schedule and suggested that construction disruption should last no more than six weeks at the same place. It is important to respect the business people. Businesses take advantage of public infrastructure already there, and they need to share the cost.

Janet Tarver, Wilson Street, Eugene, said that she lives not too far from EmX. The talk of use or lose money is boondoggle talk. She suggested taking lanes out for less traffic, using the lanes already there, and not making the sidewalks smaller. It is only three minutes less to Springfield on the EmX. The hospital route is ugly. We need more, smaller buses and restoration of routes. She regularly uses the regular bus to shop. She used to have to walk two blocks and now she needs to walk six blocks. This is making it harder for older people. It is not logical to make the changes when LTD cannot maintain the current service now. Minds are already made up. Eugene is not Portland. She will not support boondoggles, and she does support schools.

Wendy Butler-Boyesen, City View, Eugene, said that her husband had a stroke at 56, and they are completely dependent on LTD for transportation. They are in favor of the West Eugene EmX. She said if people are truly disabled, there are lifts on buses, but people who use canes are at risk for injury. Her husband can ride EmX by himself or he can use RideSource, but he cannot ride other city buses by himself. RideSource is a wonderful resource. RideSource costs \$3 for each one-way trip, and LTD loses money on each trip. LTD will save money with EmX. During peak hours the buses are full, and her husband has to wait a long time to get a seat. She has seen people with walkers and in chairs denied boarding.

Thomas Graff, West Broadway, Eugene, has been a long-time resident of Eugene. Rapid transit is needed to move people. West Eugene has a regional transportation problem due to 50 years of poor planning. The fairgrounds used to be the end of town, and the city was developed piecemeal without much thought. EmX will not relieve this problem, although its intentions are good. The short-term plan will not work well, and we need to take another look at transportation as a regional problem. He stated his opposition to the current EmX plan.

Barbara Reed, Alberta Lane, Eugene, lives off of River Road. She thanked LTD for the publicity that informed people about EmX issues. It has been a great effort for soliciting input. She is a frequent user of EmX, and sees the need for an extension of the EmX on West 11th Avenue. She will use the EmX to go to Target and other businesses. The extension is preferable to widening lanes for more cars. There are a lot of people on River Road who do not own cars and who will use LTD if there is better service and connectivity.

Ken Rivernider, Hamilton Avenue, Eugene, said that articulated buses are not needed on River Road. Those buses have people standing almost constantly as do EmX buses. LTD needs to meet the needs of the public and so should EmX. One speaker suggested that businesses are located on West 11th Avenue due to the high level of traffic. However, with the ever increasing level of congestion, customers try to avoid West 11th Avenue. He will never take Beltline to support any of the businesses.

Dennis Casady, Eugene, supports the No Build option. He has properties that would be negatively impacted by EmX. He does not want to lose square footage or trees.

Moshe Immerman, Eugene, said that LTD should go back to the drawing board. He is a scientist, a National Park Service Ranger, and a former chair of the Citizens for Public Accountability. With science, facts are established with as much clarity as possible, which helps in making decisions. The military intelligence uses perception management that is propaganda, which is an ugly word. LTD has already decided what it is going to do and thinks people are too dumb to make decisions for themselves. The government-funded entity is publishing and promoting people as opinion leaders rather than giving people the facts and letting them decide for themselves. He said LTD should lay out all the possible alternative futures and let everyone explore them. The answer is simple: more buses, more comfortable buses, more ergonomic buses, more frequent buses, and more family wage bus drivers. The decision should be delayed.

Mark Frohnmeier, West 5th Avenue, Eugene, is a lifelong resident who owns his business. He stated that he is a supporter of rapid transit. Eugene should have a great mass transit system. The current system is good, but could be better. EmX is great and he rides it as much as possible. He asked that LTD bring routes closer to him and his neighbors in Whiteaker and Jefferson Westside. Survey data show that people do not like to transfer, so the long-term solution should consider include minimizing the number of transfers that riders have to make. He wants a long stretch that would allow as many buses to go through as possible. He supports pushing EmX further into West Eugene.

Brian Weaver, Grant Street, Eugene, stated that he is pro No Build. He has heard the radio ads and has seen billboard ads. The fix is in with LTD and is supported by the mayor. He supplied copies of concept drawings to the City Council that had been submitted to the FTA as well as the Alternative Analysis report. The mitigation drawing shows mixed traffic on West 11th Avenue. The problems will continue, and property will be taken by eminent domain. The report is full of grand illusion. He has been canvassing for weeks along West 11th Avenue, West 6th Avenue, West 7th Avenue, and River Road. Nobody wants EmX. The people have been deceived. The City Council is scheduled to make a decision on March 9, and it should think about the public rather than LTD.

Bob White, River Road, Eugene, stated that he owns a business on River Road. He has been watching the process on River Road, and the process is tainted and has been corrupted by the City, County, and lobbyists. Zoning changes were made on River Road to enable mixed use. They wanted EmX out there. The zoning process was done by a group of 40 to 60 River Road citizens. The meetings were violent in the beginning, so they stopped holding the meetings. They eventually started holding the meetings again. The decisions of the City Council and the County did not produce roads, but there are trails. The decision gave nothing back to the community and created no tax base. The West Eugene Parkway was voted on by the people and killed by the City Council.

Jeffrey Dahl, Eugene, had been a business owner in Eugene for 20 years. He has had six kids in the schools. As a machinist, he solves problems, and he does not get paid if he does not solve the problems. He suggested running EmX down Roosevelt Boulevard rather than West 11th Avenue. It is very wide, underused, and adjacent to Highway 99 and Greenhill Road. He said getting rid of paid parking in downtown Eugene will solve a business problem for downtown. West 11th Avenue business owners should get tax breaks for land they purchased and people who funded the system should get free bus passes. The regular buses on West 11th Avenue share the lanes with cars, but EmX will not share the lanes. This is a huge issue that has been overlooked.

James Luzzi, Monroe Street, Eugene, has lived in Eugene since 1974. He directed officials to Chapter 7 of the Alternative Analysis Report. He said tables listed the number of trees to be removed, and the numbers are alarming. Loss of trees means loss of tree canopy, which provides carbon and storm water storage.

Misha Seymour, Lincoln Street, Eugene, said people who ride buses are not respected. It is not right that there is only one bus on Willamette Street at night. Buses should get people to where they want to go. EmX spent money, and now there was not much money left for other things. People should be treated right, and there should be a place for people to store stuff on the buses. All people should be treated like they were worthwhile.

Tommy Lane, Eugene, said LTD is hemorrhaging cash and will burden future generations. It is frustrating to see that we were at the point of becoming mere subjects, and not "we the people." He said EmX should be put on the ballot.

Randy Prince, Eugene, said that he heard most of the support was based on forward thinking. Most of the town had been built around rail lines. Transit rails and electric lines showed access. The bus shelters and bus lines that came later were not quite as effective. BRT was comfortable and ran frequently. Established transit corridors will spur development. Transit-oriented development will pay for development. He does not want to build one system only to need to build another one in the future. He suggested that EmX lines be rail ready with power lines and signaling. If that is not possible, EmX should not be built on West 11th Avenue. West 6th/7th Avenue to Highway 99 looks better to him, and the area needs redevelopment.

Clark Cox, Patterson Street, Eugene, said that he has a vision problem, and he rides the bus. He has lived through construction in the past and shops at Fred Meyer pharmacy in West Eugene. He is interested in having EmX go there. He hopes it can be done while mitigating the loss of parking and trees.

Frank Svejcar, Eugene, has cared for elderly people and suggested the officials get into shoes of those who will ride the various modes of transportation. They should be careful when changing the design. He does not support the No Build option and does not support EmX. The Transportation System Management (TSM) option is where the existing LTD system in West Eugene improved dramatically. There is already an existing bus system, and the proposals are duplicating what is already there. He is concerned that money that can be used for education will be used for EmX. He wants TSM to be restored to the list of options being considered. The route was established and reduced friction between businesses and ridership, while restoring trust in City government.

Greg Rikhoff, Eugene, said that he is a 20-year resident and property owner on West 11th Avenue. He supports EmX. Tonight he represents UO President Richard Lariviere at the public hearing. The UO is working hard to help students succeed in Eugene as car-free as possible, and it needs the community's help to do that. EmX helps the UO be more connected to the community and helps the community be more connected to the UO. While there are more than 1,300 students living in the residence halls, there are only 277 cars parked on campus overnight. Twenty-three percent of the 18,000 students who live off-campus arrive on campus by bus, and many use EmX. Twelve percent of the faculty and staff use LTD buses. If the UO is to succeed, it must increase ridership numbers, and it needs EmX to do that. While the long-term benefits may not be immediately visible, this is a legacy project. He said that he traveled to the public hearing by EmX. He extended an invitation to join him on campus at Dad's Gates and at the Walnut Station to see how EmX works.

Mike McCallum, (address not given), said the problem appears to be one of integration. He has met with LTD management about utilizing software for smartphones that is used in other cities. He said local small business jobs should not be killed because of a poorly executed plan. He likes the option that would use the existing right-of-way. There is a need for better ideas and a better plan.

Boyd Iverson, (address not given), submitted information previously and will resubmit it. He is not against EmX, but he supports a sustainable plan for West 11th Avenue. LTD has tried to make the business owners look like they are selfish and trying to stop the project, which is not true. His family

has owned property in the area since the 1950s. He owns AutoZone. When LTD said it is going to take 15 feet from his property, it will mean that AutoZone would be gone. Those who are opposed are a diverse group, but there is a common thread that this system does not work. The facts from LTD are not substantiated, and are smoke and mirrors. The needs of the City and the community all need to be remembered. This is an important decision, and bad things can happen through bad decisions. There is a lot of information submitted by him and others. He wants an informed decision made based on facts. This is a bad decision and will have a bad impact on Eugene.

CLOSING OF PUBLIC HEARING – Mayor Piercy closed the Eugene City Council public hearing; Ms. Wylie closed the Metropolitan Policy Committee public hearing; and Mr. Eyster closed the Lane Transit District public hearing.

COUNCIL, BOARD, AND STAFF COMMENTS – Tom Schwetz reviewed the West Eugene EmX schedule. The MPC will discuss EmX at its meeting on February 10, 2011. The public hearing was held tonight to take testimony on the draft recommendation. The Joint Locally Preferred Alternative Committee will meet on February 14, 2011, to develop a recommendation based on the comments received during the open house and public hearing as well as other testimony received. The recommendation will then be forwarded to the Eugene City Council, MPC, and LTD Board of Directors. He said people can send written testimony to LTD. He asked the presiding officials to leave their comments or questions on the forms at their places.

ADJOURNMENT – The meeting was adjourned at 9:25 p.m.

MINUTES

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

February 9, 2011
Noon

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

COUNCILORS ABSENT: Andrea Ortiz.

COMMISSIONERS

PRESENT: Heidi Bierle, Chair; Jeffrey Mills, Vice Chair; Randy Hledik, Richard Duncan, Jon Belcher, William Randall.

COMMISSIONERS

ABSENT: Lisa Warnes.

Her Honor Mayor Kitty Piercy called the February 9, 2011, joint work session of the Eugene City Council and Eugene Planning Commission to order. City Manager Jon Ruiz, Assistant City Manager/Interim Planning and Development Director Manager Sarah Medary, City Attorney Glenn Klein, Deputy City Attorney Emily Jerome, Planning Director Lisa Gardner, and Planning Division staff members Terri Harding, Carolyn Weiss, Alissa Hansen, and Jason Dedrick were also present for the item.

**A. JOINT WORK SESSION WITH PLANNING COMMISSION:
Envision Eugene Strategies and Tactics**

Ms. Weiss led the council and commission through the strategies and tactics associated with the Seven Pillars developed for the Envision Eugene process, commencing with the pillar entitled *Promote compact urban development and efficient transportation options*. Meeting participants asked questions clarifying the information presented.

Strategy 1: Meet all of the 20-year multi-family housing and commercial (office and retail) lands needs within the existing UGB, through development of vacant lands and also focusing new development and redevelopment in core commercial areas, corridor areas, and downtown.

Councilors and commissioners offered the following thoughts on Strategy 1:

- Underscore the need for supportive multi-family and commercial zoning in any urban growth boundary (UGB) expansion area. (Duncan)
- Strongly support denser development along transportation corridors. (Randall)
- Maps can have unintended consequences in that areas identified for development imply development was not wanted in areas where it was not identified. Maps could reduce the number of opportunities to realize the process goals. Want to send the message that the City still wants to

talk to people if their project meets its goals, even if not in a location identified on a map. (Belcher)

- Concur that existing core areas and core areas, particularly downtown, are the right places to focus attention. (Zelenka)

Strategy 2: Transform key transportation corridors and core commercial areas as mixed-use neighborhoods that foster active, walkable, community living by providing a mix of residential, commercial, retail, and public uses in close proximity to one another—in many cases within a single building.

Councilors and commissioners offered the following thoughts on Strategy 2:

- Hope there was an opportunity for closer examination of the streetscape to improve the walking environment. (Bierle)
- Concerned that if City was not prepared to act quickly in its area planning, it could slow the process of redevelopment down. Recall the example of Oakway Mall, which spurred further redevelopment along Coburg Road. (Duncan)

Strategy 3: Protect adjacent neighborhoods and provide housing options by creating transition areas between commercial and higher density residential uses and lower density, single-family neighborhoods in accordance with the goals and recommendations of the Infill Compatibility Standards and Opportunity Siting Task Teams.

Councilors and commissioners offered the following thoughts on Strategy 3:

- This strategy of creating a transition area was very important because it would help the City find ambiguities that exist in the current Growth Management Policies. Over the past few years the council and commission have heard how density was impacting existing neighborhoods, and believe that continuing the two initiatives mentioned would bring opportunities to correct some issues that have arisen. (Hledik)
- Not a totally resolved issue—in reality, the transition zone will be in the commercial zone, the residential zone, or both, and at some point that must be resolved. (Belcher)
- A caveat—much great work has been done on Opportunity Siting and it is a promising tool that should be included in the plan, but work needed to be done to fully define what it was, how it would work, and what mechanisms it would employ. (Mills)
- Agree about transition areas—like the idea of having transition zones that include transition heights that were higher in the commercial area and lower in the residential area, which eased people’s anxiety about the impact of such development on residential neighborhoods. Such issues would come up as the City tried to create 20-minute neighborhoods. (Zelenka)
- Suggest that remarks about transition heights reflect where the City had been going with the form-based code, with a focus on the way things look and how they impacted the neighborhood. Opportunity siting gave developers the opportunity to identify the next locations for higher density development, counterbalanced by neighborhood involvement so that the negative impacts of higher density could be addressed and resolved collaboratively. (Hledik)

Strategy 4: Make compact urban development of core commercial areas and corridors easier.

Councilors and commissioners offered the following thoughts on Strategy 4:

- A traffic impact analysis (TIA) was often expensive and frequently the first developer “through the door” had to pay the bulk of the cost, although the TIA benefited future development as well. Suggest that if the City sought to create more density in an area, it initiative the TIA and collect the costs of the TIA from development as it occurred. Another suggestion was that systems development charges (SDCs) be back-end loaded so that the developer did not have to pay for the whole cost the day constructed started, but rather when they began to collect income from the project. (Duncan)
- Need to be as intentional about what the City was trying to preserve as we are about what we are trying to develop. (Piercy)
- Agree with remarks about TIA but question how City would pay for it, and how the City would allocate the costs in the absence of certainty about the development to occur. (Zelenka)
- Concerned about possible use of tax increment financing to support Compact Urban Development Districts. (Brown)
- Concerned about discussion of eliminating TIAs or reducing parking requirements in the context of neighborhood livability. Most neighborhood livability issues are traffic and parking issues, particularly in transition areas between residential and commercial uses. Reduced parking requirements did not mean fewer people drove their cars, which was problematic and directly impacted livability. Avoid unintended consequences in this area. Suggest rewording tactic to read “Transform the way TIAs are done and financed.” (Zelenka)
- Support concept of Compact Urban Development Districts and creative financing approaches that did not necessarily involve tax increment financing. (Zelenka)
- Regarding the incentives discussed in the tactics, need to be creative and find new ways to realize the City’s goals while avoiding the creation of phantom system capacity. (Zelenka)
- Increased densities required increased infrastructure and reconstruction costs might be more than the costs of new construction. (Clark)
- Concur about the need to be careful about reduced parking requirements. (Clark)
- Support recommendation for publicly funded TIAs because of the City density requirements. (Clark)
- Concur about variable SDCs and publicly funded TIAs if a means could be found to pay for them. (Farr)
- Agree that urban renewal has been controversial but it had also been used successfully in Eugene. (Farr)
- Believe the pillar needs more text related to the preservation of local cultural resources. Concerned that the document does not speak to the need to preserve community authenticity. A vibrant Eugene required a mix of the good, the bad, and the ugly, and that should be considered, particularly in consideration of the transition areas. (Bierle)
- Believe that additional demand on existing infrastructure warranted the payment of an SDC. See some point to a delayed SDC, but question what happened if someone started and then abandoned a project. (Taylor)

Strategy 5: Conduct a pilot project, incorporating strategies 2, 3, and 4, to demonstrate how builders, neighbors, and the City can come together to foster best outcomes.

There were no comments about the strategy.

Strategy 6: Assess the need for additional parks in core commercial areas and corridors as densities increase.

Councilors and commissioners offered the following thoughts on Strategy 6:

- Regarding the scale of the pilot project, suggest such a project does not need to be large, and areas such as that around Irwin and Barger create an opportunity for redevelopment that could foster a 20-minute neighborhood in that area. (Farr)
- West University Neighborhood park example—people complain that the existing park felt closed in and that open spaces in the neighborhood were not sufficiently integrated into the residential area. Review of the Walnut Station plans included discussion of more “hardscaped” areas that had planters and trees and provided open space relief, and would like to see more such spaces as well as open space incorporated into building designs. (Zelenka)
- Consider how open space and landscaping created places for people to be where one wanted them to be, as opposed to where one wanted them to be—speaks to neighborhood livability. (Piercy)
- Emphasize the need to act intentionally and soon while the City could still secure the open space needed; consider the example of Central Park. (Pryor)

The council and commission moved on to the next pillar under discussion, *Protect, repair, and enhance neighborhood livability*. Ms. Weiss reviewed the strategies and tactics associated with the pillar.

Strategy 1: Do not increase densities in neighborhoods above those allowed by existing regulations, or undertake new strategies that impact neighborhoods unless they are in accordance with the goals and recommendations of the Infill Compatibility Standards and Opportunity Siting Task Teams.

- Recommend the strategy be reworded more positively, e.g., “Protect current densities.” (Bierle)
- Recollection of CRG discussion was to protect existing neighborhoods with the caveat that there were locations where neighborhoods would see an allowed increase. For example, R-1 allows up to ten units per acre, but few existing R-1 neighborhoods achieve that density. Concur with assessment by Ms. Gardner that the strategy was not intended to assign additional densities to the existing neighborhoods. (Duncan)
- People do not know what the codes allow; they see their neighborhood as it is, like it, and want to protect it. (Zelenka)
- See this as a key pillar of the process. (Brown)

Strategy 2: Complete the Infill Compatibility Standards (ICS) project to achieve the goals of ICS, preventing negative impacts and promoting positive impacts of residential infill development on neighborhoods.

There were no comments about this strategy.

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

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 14, 2011
5:30 p.m.

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling (via speakerphone), Mike Clark, Chris Pryor, Alan Zelenka, Pat Farr.

Her Honor Mayor Kitty Piercy called the February 14, 2011, work session of the Eugene City Council to order.

A. ITEMS AND COMMITTEE REPORTS

Mayor Piercy noted that February 14 was both Valentine’s Day and the 152nd birthday of the State of Oregon.

Mayor Piercy expressed sorrow for the recent accidental death of Eugene Police Sergeant Jerry Webber. She shared information about Sergeant Webber’s funeral service and said the February 16 council meeting would begin a half-hour later to accommodate the event. She expressed the council’s gratitude for Sergeant Webber’s work on behalf of Eugene and extended its condolences to his family, friends, and colleagues.

Mayor Piercy said she attended the Celebration of Life for Connor Auslund, one of the two South Eugene High School students who recently perished from drowning. She had been uplifted by Mr. Auslund’s life story and struck by how many people he had impacted.

Mr. Clark shared Mayor Piercy’s sentiments regarding the deaths of Sergeant Webber, Mr. Auslund, and Jack Harnsongkram, also a student at South Eugene High School.

Mr. Clark congratulated Eugene resident Robert Bennett for being named First Citizen by the Eugene Area Chamber of Commerce.

Mr. Clark reported that he had attended the Santa Clara Community Organization meeting on February 3 and the Eugene Police Commission meeting on February 10.

Ms. Ortiz shared in the sorrow the community felt for the deaths of the Mr. Auslund and Mr. Hansongkram.

Mr. Pryor reported that the Housing Policy Board met on February 7 to begin the process of developing its Request for Proposals for affordable housing projects. The board was in the process of filling some vacancies.

Mr. Pryor said the Joint Locally Preferred Alternative Committee (JLPAC) met earlier that day and discussed the options for the West Eugene EmX route, including the 6th/7th/11th option, 11th/13th and the No Build option. The committee had forwarded all three options to the council for consideration at its March 14 meeting, when he anticipated the council would discuss the land use and transportation implications of the EmX route before forwarding an option to the next stages of the process.

Mr. Pryor said that the Executive Committee of the Lane Council of Governments (LCOG) was finalizing its efforts around three initiatives, one focused on economic development, one on human services, and one on communication. He was enthusiastic about the communication initiative, which he believed would help LCOG find its voice while being representative of the many voices the agency represented.

Mr. Zelenka extended his condolences to Sergeant Webber's family and the families and friends of Mr. Auslund and Mr. Harnsongkram.

Mr. Farr also extended his condolences to the families and friends of Sergeant Webber, Mr. Auslund, and Mr. Harnsongkram.

Mr. Farr reported that the Economic Subcommittee of the Community Resource Group (CRG) had met on Friday and the full CRG met on Saturday to discuss the Triple Bottom Line (TBL) analysis of Envision Eugene's "Seven Pillars." He was happy to see so much attention and energy placed into the social equity element of the TBL. The participants in his small group had spent considerable time discussing housing and housing affordability.

Mr. Farr spoke of the Tom Egan Warming Center, which provided shelter to the homeless on cold nights, and circulated a picture of Mr. Egan as he appeared when serving with Mr. Farr in the Oregon National Guard.

Mr. Farr invited residents to the Bi-Lingual Family Festival at the Bethel branch library on February 19.

Mr. Brown said the McKenzie Watershed Council met on February 10 and heard an update on the outreach process planned by Eugene Water & Electric Board (EWEB) to share its water quality proposals with residents living along the McKenzie River. The council also heard an update on the new boat landing being constructed by EWEB near Goodpasture Island Road, which would open soon.

Mr. Brown said he attended also the February 11 meeting of the Metropolitan Wastewater Management Commission (MWMC). The MWMC approved Supplemental Budget #2 for fiscal year (FY) 2010-2011 and heard a report on the draft FY2011-2016 Capital Improvement Program and capital budget for FY2012. Mr. Brown noted that only one of the MWMC's capital projects had gone over budget and other projects were significantly under budget. He believed the MWMC was doing a good job of managing the public's money. He anticipated the MWMC would ask the council to approve its budget in May 2011.

Mr. Poling shared in the sorrow felt by other councilors about the recent deaths of Mr. Auslund, Mr. Harnsongkarm, and Sgt. Webber and extended his condolences to their families.

City Manager Jon Ruiz reported he would attend the February 15 meeting of the South University Neighborhood Association (SUNA) to share information about Envision Eugene. He said he and University of Oregon President Richard Lariviere would present to the Oregon Chapter of the American Institute of Architects at its meeting in Eugene on February 16. He noted that the Eugene Area Chamber of Commerce's economic forecast was scheduled for February 17.

City Manager Ruiz extended his condolences to Sergeant Webber's family and friends and particularly to his fellow employees.

Mayor Piercy spoke to the action taken by the JLPAC, saying the motion passed by the committee forwarded the two "build" options for West Eugene EmX along with the required "no build" option.

Ms. Ortiz reminded the community that the Asian Festival was occurring February 18-20, and the National Association for the Advancement of Colored People (NAACP) dinner was scheduled for February 19.

Ms. Ortiz recalled that the Lane Regional Air Protection Agency (LRAPA) had hired Consensus Association to assist the board of directors and staff to work through some communication and governance issues. She was impressed by the work the board had done with the consultants and believed it had been productive. Several board members had participated in a listening exercise with LRAPA employees and she thought it had been a healthy conversation that resulted in commitments toward the creation of a better work environment.

Ms. Ortiz noted her provision of LRAPA's annual report to the council. She said she had come to realize LRAPA existed to help businesses stay within the parameters of the law, but it could also encourage businesses and residents to adopt more innovative, green approaches. She noted the work the agency had done to replace wood stoves in Oakridge as an example. She believed that LRAPA reflected community values and gave the community "the best bang for our buck."

Ms. Ortiz said she attended her first Public Safety Coordinating Council meeting in January and heard a report on some preliminary findings of a study on Disproportionate Minority Contact (DMC).

Mayor Piercy believed the work of LRAPA had resulted in improvement in the quality of the air in Eugene and Oakridge. She also acknowledged the positive impact of the cessation of field burning. She determined from Ms. Ortiz that the results of air quality monitoring at Petersen Barn would be available in summer 2011.

Responding to a question from Mr. Zelenka, Ms. Ortiz acknowledged that air quality monitors were very expensive. She said LRAPA would like more monitors but its budget was being reduced. She emphasized the importance of Eugene working with its funding partners in LRAPA to ensure its continuance.

**B. WORK SESSION:
Ward Redistricting**

City Manager's Office Division Manager Keli Osborn joined the council for the item. City Attorney Glenn Klein was also present for the item. Ms. Osborn provided some brief background on the topic. She noted the purpose of redistricting, which was to create wards that were roughly equal in population to better assure equal representation. She anticipated the City would receive census data between April and June 2011, which would give the council demographic information as well. She noted some preliminary information prepared by Portland State University, which indicated the variances between ward populations was much less than it had been ten years ago.

Ms. Osborn called attention to a process timeline included in the meeting packet.

Ms. Osborn noted that while the council oversaw the last redistricting process, it could also appoint an oversight committee. She briefly described the public outreach associated with the last process. Ms. Osborn called attention to the public information options outlined in Attachment C of the Agenda Item Summary (AIS). She suggested that the council would want to adopt criteria to guide the process, and called attention to the 2001 criteria listed in the AIS.

Mayor Piercy solicited council questions and comments.

Ms. Ortiz asked Ms. Osborn to find out when data specific to the community's demographic make-up would be available.

Ms. Ortiz had no objection to the proposed time schedule or criteria. She supported the formation of an *ad hoc* committee that included both councilors and representatives of civic organizations such as the Eugene Area Chamber of Commerce, NAACP, and League of Women Voters.

Responding to a question from Mr. Zelenka, Ms. Osborn indicated that the City would be working with census data and the census definition of residency to determine population numbers. The City would not double-count students from other communities who attended school in Eugene but did not claim residency in Eugene.

Mr. Zelenka had no objection to the time frame or criteria. He supported Ms. Ortiz's suggestion for an *ad hoc* committee.

Mayor Piercy suggested that the make-up of such a committee would inform people's opinions about its work, and the council needed to think carefully about that.

Mr. Clark had no objection to the 2001 criteria or the *ad hoc* committee suggested by Ms. Ortiz. He wanted to involve more people in the discussion. He looked forward to the staff recommendation related to the composition of that group. He suggested that the council needed to act in a timely way to give the County adequate time to establish precinct lines.

Ms. Taylor did not support the formation of *ad hoc* committee and preferred that the council work with a staff committee on the task. She also supported having staff meet with neighborhood groups.

Ms. Taylor recalled that in 2001, the council had not chosen the option she thought best. She believed there were factors other than geographic factors to consider. She recalled that Ward 3 as previously configured had been changed by placing it all on one side of the Willamette River.

Ms. Taylor advocated that the task of redistricting be accomplished soon so that potential candidates and voters knew the precise boundaries of their wards.

Mr. Poling agreed with Mr. Clark and Ms. Taylor about the need to act soon.

Mr. Pryor wanted the process to be transparent, fair, and equal. He did not think council involvement necessarily worked against that, but he was concerned about the community perception if the council drew its own ward boundaries. He suggested one argument for an *ad hoc* committee with council participation was that the redistricting process would belong to the community, not the council. He thought the committee would increase the credibility of the process. The council had a vested interest in the outcome of the redistricting process or the appearance of a vested interest, even if it claimed it did not.

Mr. Pryor preferred to do the process right as opposed to fast. It would be an added benefit if it was possible to complete redistricting in time for people to be certain of ward boundaries before they filed for office.

Mr. Farr recalled the 2001 process being very contentious but did not expect that to be the case this time given the slight changes in population that had occurred. He did not object to the council being the decision-maker in the process, although he acknowledged the concern expressed by Mr. Pryor.

Mr. Brown also acknowledged Mr. Pryor's concerns but believed the task of redistricting was not complicated and the council was a capable group and it could work with staff to complete the task.

Mayor Piercy thought the council had worked hard to build trust with the community and engaging the community in the task would help to continue to build that trust. With total trust in the council, she continued to prefer a committee with broad community representation.

Ms. Ortiz expressed appreciation for the discussion. She noted her own habit of soliciting a broad range of constituent opinions on council decisions and hoped that the council would do extensive outreach if it decided to move forward on its own.

Mr. Zelenka suggested the question of the *ad hoc* committee depended on its charge. He suggested that such a committee could be modeled along the lines of the Community Resource Group. Its work could inform the council's ultimate decision. He agreed the process needed to be a broad-community based process to gain support for the ultimate decision.

Ms. Taylor did not think any citizen advisory committee formed for the process should include councilors.

Ms. Taylor recalled that one of the criteria for the 2001 process was to make only incremental changes, but she believed drastic changes had resulted from that process. Ms. Osborn shared a copy of the ward map prior to the 2001. Mr. Brown requested a copy of the map.

Mr. Farr said the more people a councilor represented, the more diluted representation became. He believed that Bethel was underrepresented on the council.

Mr. Clark acknowledged that under the law the council had authority over the matter, and hoped the council avoided a situation where it created a committee that believed it had that authority. He wanted to create a public process that allowed people to feel their advice was heard, but not that they were the final decision makers. Mayor Piercy suggested that might be accomplished by a process that allowed people to respond to a series of questions.

Responding to a question from Mr. Zelenka, Ms. Osborn briefly described how the City had projected population growth resulting from annexations during the previous process.

Mr. Clark thought the current ward configuration did a good job of capturing communities of common interests and would not require much change.

Ms. Taylor suggested that a connection to the University of Oregon represented a common interest, and she believed if Ward 3 again extended across the river it would capture more of the University student

population. Mr. Zelenka suggested that could exacerbate the problem of low student turnout in that ward. Ms. Taylor acknowledged the point but said her focus had been more on common interests.

The council briefly discussed the non-annexed areas within the city limits and the potential that annexation of those areas would spur creation of another ward. The council also briefly discussed the impact of neighborhood association boundaries on the subject and the potential that association boundaries might also be adjusted in the future.

Ms. Osborn indicated she would return to the council with some options to move forward at a future meeting.

2. CONSENT CALENDAR

A. Approval of Tentative Working Agenda

B. Ratification of IGR Committee Minutes

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

Mayor Piercy adjourned the work session at 6:46 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 16, 2011
1 p.m.

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling (via speakerphone), Mike Clark, Chris Pryor, Alan Zelenka (via speakerphone), Pat Farr.

COMMISSIONERS

PRESENT: Heidi Bierle, Chair; Jeffrey Mills, Vice Chair; Richard Duncan, Randy Hledik, Lisa Warnes, William Randall.

Her Honor Mayor Kitty Piercy called the February 16, 2011, joint work session of the Eugene City Council and Eugene Planning Commission to order. Also present for the item were City Manager Jon Ruiz, Assistant City Manager/Interim Planning and Development Director Sarah Medary, City Attorney Glenn Klein, Deputy City Attorney Emily Jerome, Planning Director Lisa Gardner, Community Development Director Mike Sullivan, and Terri Harding, Carolyn Weiss, Alissa Hansen, Patricia Thomas, and Robin Hostick of the Planning Division.

**A. JOINT WORK SESSION WITH PLANNING COMMISSION:
Envision Eugene Strategies and Tactics**

Ms. Harding noted the new draft proposal distributed to those present. She continued the review of strategies associated with the Envision Eugene pillar entitled *Protect, repair, and enhance neighborhood livability*. Councilors and commissioners asked questions to clarify the details of each strategy and offered comments that are recorded below each strategy.

Strategy 3: Implement the Opportunity Siting goal to facilitate high-density residential development on sites that are compatible with and have the support of nearby residents. Sites can be located in any residential area, as long as sites are identified through a collaborative process.

Strategy 4: Create neighborhood plans to address unique situations and impacts in different neighborhoods.

Strategy 5: Recognize the value that historic properties contribute to community character and livability and work to preserve those properties. Continue the work of the Historic Review Board as an informational resource for the community about historic preservation issues, partnerships, and grant funding.

- Wonder about the status of the Historic Review Board (HRB) as an informational resource. (Bierle)
- Strategy 5 seems to lack action around creation of an aesthetic identity for the community. Curious about the opportunities that existed in that area. (Bierle)
- Suggest that Strategy 5 argued for saving Civic Stadium. (Brown)
- Would add the Post Office to the list of things to save while they are still there. (Piercy)

- The City currently had 19 neighborhood associations and may have more if larger associations break up, so question the idea of planning for one neighborhood every two years as it would take 40 years to complete the area planning process. Have heard from neighborhoods that their plans are already too old. Acknowledge that budget constraints probably limit the City, but would like to see the speed of planning increase and ongoing funding allocated in this area. (Duncan)
- Heard strong support for the concept from neighborhood associations, particularly the need for the area plans. (Ruiz)

Ms. O'Donnell reviewed the strategies associated with the pillar *Provide affordable housing for all income levels*.

Strategy 1: Plan for a higher proportion of new housing stock to be multi-family than the 39 percent of multi-family than currently exists. Increasing the proportion of multi-family housing increases the amount of housing accessible to all income ranges.

- Young families with children increasingly find Eugene too expensive, and those families needed to be taken into consideration. (Belcher)
- Children need places to play, so families living in multi-family housing will need neighborhood parks and open spaces. (Belcher)
- Oregon demographic studies do not project growth in Oregon's school population for years to come because residents were having fewer or no children. Whether Eugene wanted young families or not, the City needed to consider what it actually needed to plan for. (Piercy)

Strategy 2: Expand housing variety and choice by facilitating the building of smaller, clustered, and attached housing.

- In addition to the housing and transportation costs, include utility costs related to green buildings. (Randall)

Strategy 3: Assess the utility of a housing and transportation affordability index. This index rates neighborhoods based on the combined cost of housing and transportation costs that may be a better indicator of affordability than housing costs alone.

- Suggest the online "walk score" could be a useful tool when considering the housing and transportation affordability index and variable systems development charges. (Randall)
- Rethink 30 percent rule; lenders use more of a 40 to 50 percent rule. Although government might use 30, we should use what lenders were using in today's world. (Duncan)

Strategy 4: Support subsidized affordable housing projects with a goal of providing 500 affordable housing units every five years, consistent with the Eugene-Springfield Consolidated Plan 2010.

- Emphasize the importance of having mid-level subsidized housing. Recall failure of past funding mechanisms to fund affordable housing, which underscore the challenge of finding such acreage, particularly of sufficient size, to land bank. (Farr)
- Will never be able to build enough subsidized housing to meet demand. Build as much subsidized housing as possible with the recognition that occupants will transition over time to more expensive housing as their economic status improved. Agree with concept that an

increase in multi-family housing would increase the housing available to all income ranges. (Pryor)

- Eugene's experience was that people were not transitioning out of their entry-level houses, which was an impediment to the normal progression. People who entered affordable housing stayed there, underscoring the importance of a strong economy that precluded the need for transitional housing to be permanent housing.

Strategy 5: Support preservation and maintenance of existing affordable housing stock by continuing existing programs that extend the life of existing housing stock such as funds for acquisition of existing rental housing, rental rehabilitation loans, homeowner rehabilitation loans, and emergency home repair loans.

- Generally support, but could be in conflict with other plans related to the redevelopment of corridors with multi-family development. (Duncan)

Strategy 6: Adopt development guidelines and requirements in residential expansion areas (if needed) that provide affordable housing, reinforce compact urban development and are compatible with adjacent uses.

Ms. Gardner reviewed the strategies and tactics under the pillar ***Protect, restore, and enhance natural resources.***

Strategy 1: Encourage the protection and voluntary stewardship of valuable resources inside the urban growth boundary.

Strategy 2: Protect, maintain, and restore high-quality oak woodland and oak savannah habitat, high-quality native upland and wetland prairie, the confluence of the Willamette River and McKenzie River, and the tributaries to the Willamette River, such as the East Santa Clara Waterway and Spring Creek in accordance with the intent of the Rivers to Ridges Vision, the Ridgeline Open Space and Action Plan, and the Willamette Valley Open Space Vision and Action Plan.

- The community's natural resources and livability attracted people to come to live and work in Eugene, but the economic value of the natural/livability quotient that was not reflected in any of the strategies. Would like to see that deeper economic value reflected in the pillar. (Piercy)
- Emphasize importance of Douglas fir forests to carbon storage. (Warnes)

Strategy 3: Preserve valuable farmland outside the urban growth boundary.

- While the City might not control the land outside the urban growth boundary, it could control whether it expanded the boundary to include prime farmlands. Preserving farmland was vital to the community's survival. (Taylor)
- Suggest could hold land inside the urban growth boundary in temporary agricultural use. (Farr)
- Identify public lands where local food production could occur. (Farr)

Mr. Hostick reviewed the pillar ***Plan for climate change and energy uncertainty*** and the strategies and tactics associated with the pillar.

Strategy 1: Create more 20-minute neighborhoods where residents can meet most of their daily needs within walking, biking, or transit distance from their homes.

- The school closures currently being contemplated were detrimental to the City's goal for 20-minute neighborhoods and would increase vehicle miles traveled. The increased traffic would also be a detriment to neighborhoods. (Taylor)

Strategy 2: Complete assessment of implementing variable systems development charges (SDCs) with the purpose of supporting development toward the core of the city.

Strategy 3: Integrate climate change and energy projections into an assessment to understand the risks that climate change and energy volatility pose for the transport of goods and services, housing costs, food and water supplies, energy systems, and the location of emergency services.

Strategy 4: Facilitate urban agriculture by evaluating barriers in the land use code to the development of home-grown food sources, including backyard and community gardens, urban food orchards, and micro-livestock, in accordance with the Food Security Scoping and Resource Plan.

- Would like to see investigation of Southeast Neighbors' idea for privately funded greenhouses on public lands. (Warnes)
- Would like to see water catchment facilities required in new development or in redevelopment, including underground storage for rainwater. (Warnes)
- Consider the tensions between goals that contradict each other, e.g., need for distribution of local food products versus the desire to reduce vehicle miles. Need to recognize and take into consideration consciously. (Piercy)

Strategy 5: Continue City efforts to reduce greenhouse gas impacts from housing and transportation. These include development of a new Bicycle and Pedestrian Master Plan, collaboration with the Lane Transit District to complete the EmX bus rapid transit system, and efforts to encourage existing and new houses to be energy-efficient, particularly by using solar energy.

- Transit was not necessarily EmX. Do not think calling out one particular project was suitable. (Taylor, Clark)
- EmX was included in the community's transportation plan as a way to reduce greenhouse gases and vehicle miles traveled. (Piercy)

Mayor Piercy adjourned the work session at 2 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 22, 2011
7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the February 22, 2011, public hearing of the Eugene City Council to order.

**1. PUBLIC HEARING:
Fiscal Year 201-2-2107 Draft Capital Improvement Program**

City Manager Jon Ruiz introduced the item. He said the Capital Improvement Program (CIP) was a planning document that forecast the City's capital needs over a six-year period based on various City-adopted long-range planning documents. The Budget Committee recommended approval of the CIP to the City Council on February 2, 2011.

Mayor Piercy opened the public hearing.

John Barofsky, 2010 Hubbard Lane, advocated for adequate funding for maintenance for City parks, buildings, and roads whenever possible. He generally supported the draft CIP and believed it would be an excellent planning document for the future. Mr. Barofsky referred to the automatic car wash at the airport and suggested that the City could hire four people for \$60,000 annually for more than eleven years for the cost involved.

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

**2. PUBLIC HEARING:
An Ordinance Providing for Withdrawal of Annexed Properties from the Lane Rural Fire District, the River Road Parks and Recreation District, and the River Road Water District**

City Manager Ruiz introduced the item, which was an ordinance to withdraw annexed properties from special districts. Action was scheduled for February 28, 2011.

Mayor Piercy opened the public hearing.

Dale Vergault, 4670 Scenic Drive, Superintendent of the River Road Parks and Recreation District, opposed the withdrawal of territory from the district. He asked the City to begin discussion with the special districts of the formation of an urban services agreement between the two entities as required by Oregon Revised Statutes ORS 195.065. The continued erosion of the district's tax base through

piecemeal annexations was doing irreparable harm to the district. He looked forward to those discussions.

Mayor Piercy closed the public hearing.

Ms. Ortiz determined the location of the properties in question from Bill Almquist of the Planning Division. Mr. Almquist also provided brief background on the annexation requests that had impelled the withdrawal applications and noted the special districts involved in each request.

Responding to a question from Ms. Ortiz, Mr. Almquist confirmed that the annexations in question were voluntary annexations.

Responding to a question from Mr. Clark, City Manager Ruiz indicated lead staff for discussions with the districts would be identified that week and a meeting would be scheduled soon. Mr. Clark asked to be notified of meetings.

**3. PUBLIC HEARING:
An Ordinance Adopting Hazardous Substance User Fees for the Fiscal Year Commencing July 1, 2011**

City Manager Ruiz introduced the topic, noting that the City's Toxics Right-to-Know Program was funded through fees assessed to the businesses who reported. The purpose of the hearing was to hear testimony about those fees.

Mayor Piercy opened the public hearing.

Joann Ernst, 1295 Buck Street, spoke of the merits of the City's Toxics Right-to-Know Program. She provided a report based on the data developed by the Oregon Toxics Alliance to the council and said it indicated the majority of toxic air emissions in the community occurred in the west Eugene area. She emphasized the negative impact of toxics on residents, particularly the young, the elderly, and those afflicted by asthma. She asked the council to continue its support for the program, and expressed support for the recommended fee structure.

Lisa Arkin, 1192 Lawrence Street, representing the Oregon Toxics Alliance, emphasized the impact of toxic air emissions on west Eugene in comparison to the remainder of the community. She noted the many students with asthma in the Bethel School District in west Eugene. A door-to-door survey conducted by her organization suggested that 30 percent of households had someone with asthma symptoms. She said it was important to know conditions as the City planned for the future, and the program provided information about those conditions. Ms. Arkin recommended that emitting businesses be required to have an emergency preparedness plan, and that all industries within the urban growth boundary be required to report.

Mayor Piercy closed the public hearing.

Councilor Ortiz believed the Oregon Toxics Alliance and Lane Regional Air Protection Agency complemented one another. She noted that many of the businesses that reported to the program were in the area she represented.

Councilor Clark emphasized his support for residents' right to know and noted that Section 2.2 of the charter language establishing the program exempted all public agencies, including educational institutions. He requested a memorandum estimating the amount of reportable emissions released by public agencies in Eugene.

Councilor Farr commended Ms. Arkin's recent presentation to the Active Bethel Citizens.

Councilor Ortiz asked Fire and Emergency Medical Services Department if all companies must have emergency plans or lists of chemicals that employees could be exposed to. Deputy Chief Mark Walker reported that emergency plans for businesses depended on the size of the business. He indicated he could provide information about that. Councilor Ortiz was interested in that information. He said that MSDS sheets were under the purview of the Occupational Safety and Health Administration, and he could also provide that information.

Councilor Zelenka arrived.

**4. ACTION:
City Income Tax for Local Schools**

Councilor Brown, seconded by Councilor Taylor, moved to adopt Resolution 5024, in order to amend Resolution 5023, which referred a temporary local income tax ballot measure to the voters.

Councilor Brown proposed the resolution as a more fair, rational, and progressive tax that exempted the low-income. He thought the resolution better fit the intent of the proponents of the tax. Those with low incomes would not pay the tax.

Responding to a question from Councilor Clark, City Attorney Glenn Klein explained that the council could amend the resolution and still affect the text of the ballot title if that action occurred that night.

While Councilor Clark did not support the proposed tax because he found it fundamentally unfair, his vote to adopt the resolution was to allow residents to vote on the proposal. However, he had received a great deal of input from constituents who opposed his vote. He did not think he could support the motion.

Councilor Poling recalled his past opposition to putting a ballot measure out in May. He was opposed to the ballot measure itself. Regarding the motion, he found it unfair and felt it clouded the issue. A flat rate was a better approach. He believed if someone earned a dollar, they should contribute to the tax if it passed.

Responding to questions from Councilor Clark, City Attorney Klein acknowledged it was possible that the City would have to set up a tax collections unit, but the first choice would be to contract with the City of Portland or the State of Oregon. Regarding how the tax would be collected, City Attorney Klein said he was unsure how the City of Portland collected its tax. It was possible that employers could do withholding, but the City could not require employers outside the City to do so. He concurred with a statement by Councilor Clark that some residents would have to write a check to the City. Councilor Clark asked the cost of collecting the tax. City Attorney Klein anticipated that information would be available by the time a public hearing occurred on the ordinance.

Councilor Clark determined from Ms. Cutsogeorge that the estimates from the new approach incorporated tax avoidance.

Councilor Clark said he learned at the Eugene Area Chamber of Commerce's Economic Summit that Oregon had the highest rate of income tax in the country. If the tax passed, Eugene would be the only city in Oregon with an income tax, giving it the distinction of being the city with highest income tax rates in the United States. He did not want that distinction.

Councilor Zelenka did not think that Oregon's income tax made it a high tax state. Because of a lack of a sales tax, Oregon was right in the middle of the states in regard to the tax burden placed on residents. The State's other taxes had to "make up" for the lack of a sales tax.

Councilor Zelenka pointed out that such a new had been imposed in Portland and a mechanism existed to collect it. He liked the motion and planned to support it.

Councilor Farr believed unanswered questions remained about how the tax would be collected. He had raised the same questions the previous week and continued to be concerned about that issue. He also continued to believe November would have been a better time to place the proposal on the ballot because it would have provided time for such questions to be answered.

Councilor Farr also continued to be concerned that the City had to pay the costs of placing the measure on the May ballot. He did not think the City had a way to pass those costs along.

Councilor Farr favored exempting people with incomes below the poverty line from the tax. He did not think that income taxes were a sustainable way to fund services. People below the poverty line were having difficulty putting food on their tables and he was challenged to ask them to pay more in taxes. For that reason, Councilor Farr said he would support the motion. He continued to dislike the taxing mechanism involved.

Mayor Piercy said everyone cared about the schools and the future of children. The income tax was suggested because many residents had asked the council to help. She did not see it as a solution to the school funding issue but rather as a bridge to a State solution. She appreciated Councilor Brown's attempt to make the tax more progressive.

Regarding the taxing mechanism, Mayor Piercy said the City had a report from an economist who believed that the tax was positive overall. In regard to timing, she recalled that the school districts supported a May 2011 election date as being more helpful.

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

2. PUBLIC HEARING: Envision Eugene

City Manager Ruiz introduced the item, reminding the council that Envision Eugene was a planning process intended to guide the development of the community's future. The hearing was an opportunity to hear public reaction to the proposal published February 2, 2011. The council would hold a second public hearing later in the spring.

Mayor Piercy opened the public hearing.

Elaine Zablocki, 3470 Ferry Street, supported the concept of a denser core to reduce travel times in the community. She endorsed the concepts of 20-minute neighborhoods, transition zones, the use of incentives, mixed use developments, additional multi-family housing, and a lower percentage of single-family homes in the housing mix. She maintained that if the City implemented those things, Eugene could absorb its expected population growth without the need to expand the urban growth boundary (UGB). She said the City should not believe previous development trends would continue and called for more visionary thinking.

Mark Robinowitz, PO Box 51222, representing SustainEugene.org, believed the process lacked appropriate technical expertise in the field of energy volatility and suggested that planning which depended on erroneous assumptions would be wrong. He advocated for consideration of peak oil in the process and suggested that discussion of electric cars was a distraction. Mr. Robinowitz maintained that the planet had reached its growth limits and the current economic system could no longer continue.

Jan Wostmann, 2645 Riverview Avenue, addressed the pillar regarding protection and enhancement of neighborhood livability. He emphasized the importance of completing the strategy calling for development of compatibility infill standards. He also urged the council to consider the location of high-density residential development as it related to the opportunity siting process. Mr. Wostmann said it mattered where high-density residential development occurred in an urban setting, and he believed it should be located in the inner city along major transportation corridors. He wanted the City to avoid a situation where high-density residential was allowed anywhere in community because he did not think that was supported by most residents.

Paul Conte, 1461 West 10th Avenue, distributed and reviewed his written testimony, which spoke to the difficulty that the Jefferson-Westside Neighbors faced in providing input into the Envision Eugene process because of the length of Community Resource Group meetings and the lack of detailed maps and analyses to respond to. He urged the council to establish a schedule and deliverables for which the City Manager was responsible. He emphasized the importance of opportunity siting to his neighborhood organization and indicated it was not waiting for the process to discuss potential opportunity sites with St. Vincent de Paul.

Tim Schinaberger, 2338 Agate Street, supported the City's attempts to protect neighborhoods through the Envision Eugene process but was concerned about the lack of detailed maps. He asked that before the council made any decisions regarding residential land, it direct staff to produce maps inside and outside of the UGB that showed the areas that the manager recommended for increased density as well as details about how many more people would be able to live in those areas over the next 20 years. He also wanted to know what steps the City could take to implement design standards that ensured that density did not negatively affect neighborhoods. He suggested that if the City did not add land now, it would not be easy to add in the future.

Kayla Schott Bresler, 380 West 8th Avenue, #4, representing the Lane Coalition for Healthy Active Youth, endorsed City activities and facilities that promoted physical activities. Her organization supported 20-minute neighborhoods and greater access to nutritious foods. She asked the council to take actions that limited the ability of fast food outlets and convenience stores to locate in Eugene and pass options that limited their ability to market their goods to residents.

Carlis Nixon, 1556 Wilson Court, expressed concern that it was difficult to comment on the process because it was so large and general. She noted a recommendation to "appropriately reduce constraint for industrial development" and asked "appropriately as judged by whom" and if it would include air and

pollution controls. She urged the council to continue and intensify work on the infill compatibility process to ensure neighborhood livability.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, noted his support for the Toxics Right-to-Know Program. He then called for discussion of the feasibility of acquiring the right-of-way needed for EmX on transportation corridors. He did not think all the corridors could physically accommodate the EmX system. They could accommodate a more flexible transit system that did not require dedicated lanes.

Mr. Siekiel-Zdzienicki questioned how many of the Community Resource Group members lived on major transportation corridors and how they were affected by the vision. He asked how those visions affected their livelihood. He asked if the constituency most affected by those visions were represented on Community Resource Group.

Mr. Siekiel-Zdzienicki said that infill worked on a site-by-site basis.

Eugene Drix, 307-1/2 High Street, asked the council to keep established neighborhoods in mind. He supported an income tax for the schools.

Ed McMahon, 1233 Hilo Drive, executive director of the Lane County Homebuilders, commended the Envision Eugene process and the work of City staff. He expressed hope that the council could convey the intent of the Community Resource Group to residents, emphasizing that the group had the community at heart.

Tom Halferty, 4510 Manzanita Street, shared copies of a three page document, entitled A Eugene Vision, which represented his own vision for the community. He recommended an urban land trust be established for properties inside the urban growth boundary.

Mayor Piercy adjourned the work session at 8:15 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 23, 2011
 Noon

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

Her Honor Mayor Kitty Piercy called the February 16, 2011, work session of the Eugene City Council to order. The council was joined by Lane Transit District (LTD) Board of Directors Chair Mike Eyster, LTD General Manager Mark Pangborn, LTD Director of Development Services Tom Schwetz, and LTD Director of Service Planning, Accessibility, and Marketing Andy Vobora.

**A. WORK SESSION:
 West Eugene EmX Update**

City Manager Jon Ruiz introduced Mr. Eyster. Mr. Eyster reported to the council that following the final meeting of the Joint Locally Preferred Alternative Committee (JLPAC), LTD staff had been concerned that the committee forwarded two options for the West Eugene EmX bus rapid transit route to the decision makers. One option must be selected if there was to be a build alternative. Staff discussed its concerns with the LTD board, and proposed that the process be extended to allow for more public education and public input. Board members agreed that whatever the board did, it must be consistent with the actions of the City Council. Mr. Eyster assured the council that LTD was not attempting to dictate the council's timeline, and said no board action was taken at the meeting.

Mr. Schwetz provided a PowerPoint presentation that reviewed the process to date and the remaining tasks, outlined the recommendation of the JLPAC, highlighted the evaluation criteria for the federal "Small Starts" grant program that LTD hoped to take advantage of for route funding, and compared the costs and physical impacts of the two options forwarded by the JLPAC. Mr. Schwetz quantified the construction jobs the route would create and concluded the presentation by reviewing a decision time line.

Mr. Zelenka arrived during the presentation.

Mayor Piercy supported a build option and hoped to select one sooner rather than later. In regard to the proposed West 11th/13th Avenue option, she suggested the council needed to consider both public support and project viability. She said the issue was not "transit versus everything else but transit as a part of everything else." The community needed good options for every travel mode. If all options were good, people would make good choices and the community would move forward in a way that all supported.

Mayor Piercy solicited comments from members of the JLPAC.

Ms. Ortiz commended the JLPAC process. She expressed appreciation for LTD's work in responding to community input. She also wanted to make a decision sooner rather than later.

Mr. Pryor thanked LTD for its willingness to be flexible. He said the JLPAC forwarded the West 6th/7th/11th Avenue option because Eugene was in the middle of a significant discussion of land use in that area, and he believed to limit the transit options before that discussion concluded would result in a less productive conversation. He agreed that a choice was needed as soon as possible.

Responding to a question from Mr. Farr about tree removal and replacement, Mr. Schwetz anticipated that LTD would plant more trees than it removed along the route. Mr. Pangborn added that LTD would work with the City's Urban Forester on tree replanting. He said that trees were relatively expensive in the context of the project. He referred the council to the landscaping installed in connection with the Pioneer Parkway segment of the Gateway EmX route to demonstrate how LTD addressed the issue of tree removal and replacement in that context.

Mr. Farr determined from Mr. Schwetz that LTD would consider the concept of running both EmX lanes on the south side of the power poles on West 13th Avenue, which would require LTD to acquire property but would create more of a buffer.

Mr. Poling was pleased that the JLPAC forwarded the West 6th/7th/11th Avenue option. He looked forward to more discussion of the merits of the two routes.

Mr. Clark asked if the council was precluded from selecting the Transportation System Management (TSM) option. Mr. Schwetz clarified that the TSM option was intended to provide an analysis of a less capital-intensive project. TSM was not an EmX corridor. From LTD's standpoint, TSM was essentially a "no build" option. Mr. Eyster indicated the council could select the "no build" option.

Mr. Clark asked if the anticipated \$30 million in State funding was in the form of lottery-backed bonds. Mr. Eyster said yes. Mr. Clark asked how the State budget deficit and the State Treasurer's recent declaration that it would recommend placing several State projects on hold affected that element of project funding. Mr. Schwetz indicated that LTD hoped to secure the needed funding over the next three legislative sessions. LTD had requested \$8.4 million from the current legislature.

Ms. Taylor asked if the money mentioned by Mr. Clark could be used to fund education. Mr. Schwetz acknowledged the legislature could redirect the funds to education.

Ms. Taylor recalled that the presentation indicated additional money saved by the West 11th/13th Avenue option could be used for additional services, but she had been told the funding for the route could not be used for other services. Mr. Schwetz clarified that the reference in the presentation was to operating costs, not capital costs. Ms. Taylor asked if it was true that EmX buses cost more to operate than a traditional bus. Mr. Schwetz said the cost per boarding demonstrated that EmX was more efficient than a traditional bus.

Ms. Taylor asked about the number of jobs created for the earlier system phases. Mr. Schwetz said the costs for those phases were less and jobs were fewer in number. Ms. Taylor asked where the construction workers went when the jobs were completed. Mr. Schwetz suggested that such workers were often local and moved onto other local construction jobs.

Mr. Brown said he would like to see the TSM option advance along with the "no build" option. He acknowledged that most of the groups surveyed by LTD had favored West 11th/13th avenues over the West 6th/7th/11th Avenue option but he did not understand why. He suggested the greater number of businesses along 6th/7th avenues justified selection of that option. Referring to the information provided to the council about employment along both corridors, Mr. Brown questioned where the figures were

derived from. Mr. Schwetz indicated the source of the information was employment files that LTD received periodically from the State of Oregon.

Mr. Zelenka also favored a build option and wanted to select an option soon because of congestion, travel times, cars, climate change, and all the City's transportation planning documents, which were focused on providing choices. The community would not see the beneficial impact of those choices without the needed investment. Mr. Zelenka considered the route an investment in the future of Eugene and in creating choices. He "was not buying the Tea Party's line" that the investment was wasteful spending.

Mr. Zelenka wanted to know why the groups surveyed by LTD chose the West 11th/13th Avenue option. Mr. Schwetz could not speak for those groups but suggested they were persuaded by the technical merits of the proposal. Mr. Zelenka believed the West 11th/13th Avenue option was justified by the increased operating costs required for the West 6th/7th/11th Avenue option.

Mr. Zelenka asked LTD to explain to "all the people, all of sudden, who had become mass transit experts" why it did not use smaller buses. Mr. Pangborn offered a wheelbarrow analogy. He suggested that one would always buy the biggest wheelbarrow possible to move materials around one's yard. He said that LTD was building the system for the capacity it needed in the future. The smaller the vehicle, the more vehicles were needed to carry passengers at peak travel times during the morning and afternoon. LTD could use one articulated bus to carry the same number of people that three small buses could carry. Mr. Pangborn emphasized that the greatest cost to LTD in running a bus was the cost of the driver, so it made economic sense to use larger buses. He recalled the 30-foot buses used for *The Breeze* service and said those buses could be used in some areas during mid-day but were not suitable most areas at peak hours. He concluded by saying that LTD was at financial capacity now and could not afford to deploy more buses.

Mr. Pangborn concurred with a statement by Mr. Zelenka that small buses did not provide more than modest fuel gains and larger buses had longer life-cycles. He noted that LTD did use small buses for such things as "dial-a-ride" service.

Responding to a question from Mr. Zelenka, Mr. Pangborn enumerated some Oregon systems that employed small buses, including Klamath Falls, Astoria, and Tillamook. Other Oregon communities, such as Salem and Medford, used 40-foot buses to respond to changing demand throughout the day. Mr. Zelenka asked how LTD's system compared to other systems of comparable size. Mr. Pangborn said that LTD ranked 30th in productivity (number of boardings per hour) in the nation. The system carried many University of Oregon and Lane Community College students.

Mr. Eyster suggested another benefit of the West 11th/13th Avenue option was the increase in trip time, which would make the system more desirable to "choice" riders.

Ms. Ortiz did not need any more information to make a decision. She would not recommend TSM as an option because it did nothing to take buses off the roads. The City did not have sufficient money to take care of streets it owned and if the route moved forward LTD would be responsible for the costs of maintaining dedicated bus rapid transit lanes. TSM would not address that issue and could possibly result in larger buses on the roads, which would further shorten the life cycle of the roads.

Mr. Clark said he thought funding was a valid and important consideration. He questioned if the State's financial capacity had changed the funding environment for State involvement. He requested an analysis of the State's capacity and how it affected the project.

Mr. Clark asked if the dedicated throughways required for the system would change or limit the access for businesses along the route. Mr. Schwetz said no. Mr. Eyster said in one instance, a property owner advocated for a dedicated lane because it facilitated customer access to his business. Mr. Schwetz noted that the West 6th/7th/11th Avenue option ran along a facility owned by Oregon Department of Transportation and any curb changes triggered that agency's access management policy. ODOT had indicated it would work with LTD to avoid access restrictions but that issue did not exist on the West 11th/13th Avenue option as those roads were owned by the City of Eugene.

Ms. Taylor objected to Mr. Zelenka's "Tea Party" reference and likened it to people calling those they disagreed with Communists in the 1950s. She was not a member of the Tea Party but did not like name calling and did not think that people should be categorized in such a manner.

Ms. Taylor suggested that 30-foot buses would be great for the south hills, where there were fewer passengers and less service than in other areas.

Mr. Brown spoke to the perceived benefits of the West 6th/7th/11th Avenue option over the West 11th/13th Avenue option, acknowledging that the 6th/7th/11th option would take slightly longer and require more upfront investment, but it take more people to where they wanted to go in terms of housing, retail, and employment centers. He suggested that it was more important to take people where they needed to go than to shave a few moments off the travel time. At this point, he thought the 6th/7th/11th option made more sense.

Mr. Schwetz said there was no doubt the West 6th/7th/11th Avenue option would be a well-performing part of the system, but LTD had to consider the system in terms of phasing. He said it was not a question of which option, but when. He believed that the 11th/13th option, for the technical reasons listed, was the appropriate option.

Mayor Piercy found the conversation troubling because it veered between the preferred route and the question of whether to have EmX at all. She averred that the community decided on the EmX transit system years ago and had constructed the first two phases of the system, which were performing well. The City had goals to increase system ridership and reduce vehicle miles traveled and carbon emissions. The proposed system met federal, State, and local goals. Mayor Piercy said if the council decided to select the West 6th/7th/11th Avenue option she needed to know that soon because she believed it made a substantive difference in the support the route had and could affect her position.

Mr. Zelenka understood the financial constraints faced by the community, but believed the council had the responsibility to look to the future and make the appropriate investments. He favored a build option and could live with either option with his previously expressed caveat about the increased cost of the West 6th/7th/11th Avenue option.

Mr. Zelenka asked what happened if the council selected a "no build" option for West Eugene. Mr. Schwetz suggested it would be more difficult to go to the FTA and ask for more money for the next corridor. Mr. Eyster agreed.

Mr. Zelenka asked if funding had been identified for the TSM option. Mr. Schwetz said that TSM was an operations strategy that would not qualify for federal funding programs such as the Small Starts Program. The funding could come from more flexible federal funding sources, but currently LTD was spending those dollars on preventative maintenance for buses.

Mr. Zelenka wanted to see a "laundry list" of the adjustments made to the route in response to public input and the nature of those changes.

Speaking to Mayor Piercy's remarks, Mr. Farr indicated he was not ready to announce his position on an option. He asked how the West 6th/7th/11th Avenue option would work with a Highway 99 route extension, what future connections would look like, and what adjustments would need to be made to the West 11th/13th Avenue option to facilitate construction of the Highway 99 route.

In response to a question from Mr. Farr, Mr. Schwetz agreed to provide the council with information about the number of on-street parking spaces that would be eliminated as a result of project construction.

Mr. Pryor said the discussion reinforced his desire to keep both build options on the table. He noted that while the cost per boarding was four cents higher for the West 6th/7th/11th Avenue option, LTD expected to have 70,000 more riders on that route by 2031. In addition, it would make important connections to other phases. He agreed that the discussion was about the future, but he was also concerned about the impact of the project on businesses in place now. He wanted to know more about how long construction would last in front of any given business.

In response to Mr. Pryor, Mr. Schwetz noted LTD's previous distribution of a letter from the Wildish Group regarding its experience in constructing the first two phases of EmX. The firm had stated it had worked in two-week, five-block segments on each side of the street. Construction did not require that access to any business during be closed. He said that LTD tried to provide as much support to businesses as possible during the construction period. Mr. Eyster added that construction could also occur during night time hours and LTD could provide signage to indicate businesses were open and how they could be accessed.

Mr. Eyster agreed with Mr. Pryor about the long-range nature of the decision and emphasized LTD's interest in being a good partner.

Mayor Piercy emphasized the need for a thoughtful decision that encompassed consideration of the community and region's future needs. She believed that the decision represented a significant moment for the community.

Mayor Piercy adjourned the work session at 1:17 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 28, 2011
5:30 p.m.

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

COMMISSIONERS PRESENT: Heidi Bierle, Chair; Jeffrey Mills, Vice Chair; Jon Belcher, Randy Hledik, William Randall.

COMMISSIONERS ABSENT: Richard Duncan, Lisa Warnes.

In the absence of Her Honor Mayor Kitty Piercy, Council President Betty Taylor called the February 28, 2011, joint work session of the Eugene City Council and Eugene Planning Commission to order. Also present for the item were City Manager Jon Ruiz, Assistant City Manager Sarah Medary, City Attorney Glenn Klein, Deputy City Attorney Emily Jerome, Planning Director Lisa Gardner, Community Development Director Mike Sullivan, and Terri Harding, Carolyn Weiss, Alissa Hansen, and Jason Dedrick of the Planning Division.

**A. JOINT WORK SESSION WITH PLANNING COMMISSION:
Envision Eugene Strategies and Tactics**

Mr. Dedrick provided a PowerPoint presentation entitled *Economic Opportunities Pillar Strategies and Tactics*. The presentation highlighted the six strategies and associated tactics for the pillar ***Provide ample economic opportunities for all community members*** and included information about downtown redevelopment rates and the community’s supply of industrial lands. Councilors and commissioners asked questions clarifying the information presented.

Strategy 1: Meet all of the 20-Year commercial land needs within the existing urban growth boundary.

Strategy 2: Implement the Joint Elected Officials Prosperity Economic Development Plan and complete the following actions: 1) feasibility study of developing a green energy cluster (wood products); 2) feasibility study of development an intermodal rail-truck transport hub.

Strategy 3: Consolidate and develop or redevelop existing vacant lands and developed sites.

Strategy 4: Support the development or redevelopment of industrial sites that are and will remain outside the urban growth boundary.

Strategy 5: Determine an appropriate portfolio of industrial sites.

Strategy 6: Additional work to determine the timing and amount of industrial land needed outside the urban growth boundary to address portfolio.

Ms. Bierle and Mr. Zelenka arrived during the presentation.

Assistant City Manager Sarah Medary facilitated discussion and solicited comments and additional questions from those present.

Speaking to Strategy 2, Mr. Brown determined from Mr. Dedrick that it spoke to the potential of Eugene-Springfield as a hub for container transport. Mr. Brown observed that use took up considerable space without much added value. He said that Eugene should accommodate that use to some degree, but he did not recommend pursuing it as a major part of the strategy. City Manager Ruiz clarified that the City would investigate the feasibility of such an approach. He noted the port status that had been granted to Coos Bay and suggested that would impact Eugene as part of the larger region.

Mr. Brown determined from Mr. Dedrick that the source of the public funds to support an industrial land bank was not yet known and that question would be examined through a feasibility study.

Ms. Taylor asked if Goshen was aware that Eugene was looking toward it to supply a percentage of the region's industrial lands. Mr. Dedrick did not know. He noted that Lane County was studying the Goshen area with the idea of securing an exception to State law to allow it to serve the area.

Ms. Taylor asked what type of industry needed 100 acres of land to operate. Mr. Dedrick cited high technology industries that produced products related to solar and wind as examples.

Mr. Zelenka believed Goshen made sense as a location for industrial expansion because it had many industrial sites that could be redeveloped, it was proximate to Eugene-Springfield, and it was located on Interstate 5.

Mr. Zelenka referred to Strategy 3 and determined from Mr. Dedrick that the reference to the industrial land trust was to a concept based on the West Eugene Wetlands Partnership but intended to facilitate the consolidation of industrial sites.

Mr. Zelenka asked what thought had gone into the Brownfield mediation pilot project mentioned in the tactics associated with Strategy 3. Mr. Dedrick said the costs of the pilot and the availability of grant funding for mediation had been discussed, as well as the fact there were such sites in Eugene that might not be officially documented Brownfields but that were in fact Brownfields because they contained such things as old log ponds. Mr. Zelenka observed that there were few good examples of Brownfield reuse that had not required government intervention due to the cost of such redevelopment.

Mr. Zelenka suggested that the third tactic under Strategy 3 be reworded to indicate the intent was to make the development process easier in light of constraints on industrial lands.

Mr. Clark believed that Eugene had parcels with wetlands and drainage ways that were not officially mapped or designated for protection but could serve as constraints to the development of those parcels. He asked if the City took those features into consideration when it considered the industrial lands supply. Mr. Dedrick said such wetlands, which were not included on the local wetland inventory, still required State and federal permitting to be developed. The State had indicated to Eugene in the past that it must

assume that such sites were developable if they were not locally protected. The City now was able to look at such sites more holistically than in the past and take a more qualitative approach to them. For example, it might be that the permitting requirements for a 50-acre industrial site with 30 acres of wetlands reduced the developable acreage on the site, allowing the City to make practical as well as legal determinations about what could be done on the site.

Mr. Clark observed that the City had gone through the Eugene Comprehensive Lands Assessment to determine its land need, but that need was based on assumptions that, for example, the hypothetical site mentioned by Mr. Dedrick was actually 50 acres of available land. He asked what the City was doing to remediate the need when it removed such acreage from the supply. Mr. Dedrick pointed out the City had more industrial acreage than it projected the need for. However, when staff examined the supply it realized most of the industrially designated parcels were small in size and there were few large industrial parcels. The State had facilitated an examination outside the formal lands assessment process by acknowledging the need for cities to consider long-term economic possibilities.

Mr. Clark questioned what the City would do if its plans for a property were not the same as those of the property owner. Mr. Dedrick did not anticipate the City would identify lot-by-lot redevelopment opportunities but staff would monitor the implementation of the policies over time. If certain redevelopment assumptions were not being met, it was possible to revisit and adjust them in the future. The City would attempt to both follow and plan for the marketplace using incentives and tools different than those currently in place. Mr. Clark asked what the City was doing to evaluate the marketplace. Mr. Dedrick said staff considered the financial aspects of the land supply but had not surveyed property owners about their intentions. He said such surveys might be appropriate at the area planning stage.

Ms. Ortiz suggested that land assembly of underutilized land might a way to facilitate redevelopment in areas of west Eugene.

Ms. Ortiz observed that 400 acres of need was a lot. She was disappointed by the lack of large industrial parcels in Eugene.

Ms. Ortiz asked what incentive a business would have to locate inside the urban growth boundary where taxes were higher if land was available outside the boundary. Mr. Dedrick said that the provision of services was one reason. He noted that under the approach contemplated, areas outside the boundary would not be included until needed.

Mr. Zelenka endorsed Mr. Dedrick's remarks about monitoring and readjusting the strategies as needed.

Mr. Zelenka asked how Eugene would manage the addition of more industrial acreage and how it would prevent land values in the areas to be brought inside the urban growth boundary from skyrocketing. Mr. Dedrick suggested that the rate at which City services were extended to such areas was one way of managing the addition. He believed that such lands could be incorporated in a planned fashion.

Responding to a question from Mr. Zelenka, Mr. Dedrick said the 400 acre number was based on the need for large industrial parcels and was the result of the work of the Community Resource Group (CRG), which was not necessarily in consensus on the exact number but was in consensus about the need for large industrial parcels. Mr. Zelenka requested a background memorandum explaining how the number was arrived at.

Mr. Pryor appreciated the logic of trying to take something of limited value in the form of small industrial sites and converting them to greater value by rezoning them to commercial. He believed that approach

also provided support to the concepts of redevelopment and conversion. Mr. Pryor emphasized the importance of identifying the acres in question soon.

Mr. Farr recalled that the CRG had considerable discussion of the subject of the needed acreage and members had been “all over the board.” He believed the actual math justified the 400 acre number. City Manager Ruiz concurred. Mr. Farr did not think it was an exact number, and he anticipated that much of the land needed would be added in a “just-in-time” fashion. He emphasized the importance of larger parcels.

Ms. O’Donnell continued the PowerPoint presentation. She discussed the strategies associated with the pillar *Provide affordable housing for all income levels* and noted their connection to the housing mix and housing mix ranges. She anticipated the Technical Resource Group, a subcommittee of the CRG, would continue to work on the issue. Ms. O’Donnell shared the housing mix ranges under discussion and noted the benefits of the ranges identified by community members. Councilors and commissioners asked questions clarifying the information presented.

Strategy 1: Plan for a higher proportion of new housing stock to be multi-family than the 39 percent of multi-family that currently exists. Increasing the proportion of multi-family housing increases the amount of housing accessible to all income levels.

Mr. Clark said that as a result of past planning, Eugene had experienced slower growth in the number of families with children and decreased demand for single-family detached housing. He suggested that if the community planned for more of the same it would get it, and that meant more young families moving to outlying communities so they could live in single-family homes. That meant declining school enrollment and difficulty funding the schools. He did not want to continue that pattern. Mr. Clark asked if the City wanted to force leapfrog sprawl and increase the number of people who worked in Eugene but lived elsewhere. He preferred to keep those families in Eugene and suggested that the City needed to “get very real” about what the market place really wanted. He asked if the City really knew that young families wanted to live in multi-family housing. His experience suggested that they did not. He recommended that the City consider census data from the entire region when considering the mix.

Mr. Farr suggested that the facts mentioned by Mr. Clark could also be attributed to a lack of affordable single-family housing in Eugene. Those with median incomes could not afford Eugene’s median house prices. He asked how much thought staff had given to the question of people who did not have the option of single-family detached housing, although such housing was their preference.

Mr. Pryor believed the question of housing mix represented a pivotal point in conversation. He said it was also challenging because the City was attempting to predict future demographic and economic shifts.

Mr. Pryor suggested the housing mix was also affected by the suppliers. Homebuilders did not want to build low-income housing because they made more money building more costly housing. He maintained that the trends in Eugene were not driven by the market but by the suppliers. Mr. Pryor believed that buyers, builders, and planners needed to recognize that and shift their thinking. He encouraged people to put aside traditional thinking and gather all the information possible.

In response to Mr. Clark’s comments, Mr. Zelenka averred that school districts were “declining everywhere.” He also maintained that young families did not drive the housing market; the housing market was driven by the “boomers.” Mr. Zelenka asserted that the “boomers” were downsizing and wanted to live downtown. Multi-family developments were being built for “downsizing boomers.” He suspected that the trend was toward multi-family housing and suggested the council review the data

examined by EcoNorthwest. He believed a 55/45 single-family/multi-family split was heading the right direction and predicted the community would not experience more single-family detached development. However, Mr. Zelenka said that did not mean the result would be “giant apartment complexes” but rather developments like high-density row houses, for which there would be increasing demand. He pointed out the row house development near him sold before it was built.

Assistant City Manager Medary suggested that the strategies related to the pillar regarding adaptive, flexible implementation could address some of the concerns related to the housing mix.

Ms. Ortiz was glad State law considered trends. In her neighborhood people lived together because they did not have a choice. She said the assumptions staff was talking about were for people who had choices and could afford to live where they wanted to. Those people got to move to Veneta. In her neighborhood all large houses had rooms for rent because people could not afford to live alone. Ms. Ortiz agreed with Mr. Pryor that the council could not predict the future. She said the City could not discern people’s intent. If people had choices, they would move where they wanted to be, and she did not know if the City could anything about that. However, she wanted to ensure choices existed.

Mr. Randall suggested that as the City examined the housing mix it also keep in mind minimum and maximum lot sizes. He believed that people would still want single-family detached houses but it could be possible to achieve higher densities through smaller lot sizes.

Mr. Belcher said that as gas prices continued to rise, one needed to consider the economic costs of living farther out from the core.

Mr. Clark believed the City needed information about regional trends, not just the trends in Eugene. He thought it important to look at the impacts of Eugene decisions on other communities. He also hoped the City would look at a demand analysis for housing. He was aware of a row house type of development near his residence that went unsold for nearly two years and was eventually auctioned off.

Mr. Farr observed that trends could be manufactured by limiting what was available. He said Eugene trends were based on what people could afford and what was available. He suggested the question to consider was what people would choose if given more choices, rather than the choices themselves.

Ms. Hansen continued the PowerPoint presentation by highlighting the strategies and associated tactics for the pillar ***Provide for adaptable, flexible, and collaborative implementation***.

Strategy 1: Create an ongoing monitoring system to collect and track key information.

Strategy 2: Develop systems for tracking the key information described above, and producing clear, publicly available reports for the purpose of continuous evaluation of the effectiveness of the Envision Eugene strategies.

Strategy 3: Create a dynamic Eugene-specific comprehensive plan to address emerging needs.

Strategy 4: Continually evaluate and regularly adjust regulations through a collaborative code simplification program.

Strategy 5: Collaboratively plan and partner with surrounding jurisdictions and agencies on such efforts as regional public facilities and services, regional transportation/climate planning, and protection of high-value farmland and natural resources.

Strategy 6: Develop an implementation tool, such as design review or through Opportunity Siting, to support efficient and flexible review of development proposals that address the needs identified in Envision Eugene and have broad neighborhood support.

Mr. Clark suggested that adjustments to the strategies should occur when an evaluation identified the need, rather later. Ms. Hansen did not think that was precluded, but suggested that some delay could give the City time to more fully monitor the impact or identify related trends. She emphasized that the intent was for flexibility. Mr. Clark emphasized the importance of keeping the code current with what was happening on the ground, and recommended that the City create a mechanism to trigger updates to its regulations when issues were identified.

Ms. Taylor adjourned the work session at 7:05 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

February 28, 2011
7:30 p.m.

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

In the absence of Her Honor Mayor Kitty Piercy, Council President Betty Taylor called the February 28, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Councilor Taylor reviewed the rules of the Public Forum.

Zachary Vishanoff, no address given, notified the public of two hearings regarding the expansion of the University of Oregon's Casanova Complex scheduled on March 16, 2011, at 5 p.m. in the Sloat Room of the Atrium Building. He identified issues of concern related to the expansion proposal, which included impacts on the Willamette Greenway, Alton Baker Park, surrounding neighborhoods, and tailgating activities. He hoped someone appealed the any decisions that resulted from the hearings so the community "could have reasonable planning outcomes on our riverfront" as opposed to what he termed "letting the big bucks shred it apart and unilaterally redesign it."

Mr. Vishanoff provided the council with copies of an article from The Eugene Weekly entitled *Pat Kilkenny Invested in Courtside?* He asked Councilor Zelenka to think about his presentation to the City Club regarding the business of the arena and to comment.

Mark Callahan, 3621 Mahlon Avenue, indicated opposition to a resolution introduced by Councilor Brown that replaced an earlier council resolution referring an income tax for schools to the voters. He suggested that while it was stated the intent of the resolution was to preclude low-income residents making less than \$22,000 from being subject to the tax, he believed it was Councilor Brown's strategy to create the exclusion to gain the support of the student voters in his ward who would not have to pay the tax. He believed the lack of an opportunity for public comment for the replacement resolution suggested the council was "trying to pull a fast one on the citizens of Eugene." He said the replacement resolution expanded the list of those who would be able to vote for the tax but would not be required to pay it, such as Mayor Piercy.

Mr. Callahan recommended that government address the cause of the schools' budget shortfall, which was PERS, rather than reacting to the symptoms of the problem with a new income tax. He said that the temporary gas tax that was later made permanent made Eugene citizens wary of additional "temporary" taxes. He predicted that residents would not support the proposed tax to continue the current system.

John Dotson, 2447 Canterbury Street, said the public had the right to more clarity about the foundations for the decision about the West Eugene EmX route before more work occurred. Mr. Dotson asked if federal money was acquired and spent before the public was advised of the selected route and if so, would those moneys need to be returned if the route was not built. He questioned whether there was a potential development on West 11th Avenue that would benefit from the system to a greater degree than other businesses who would be impacted by the route. He asked if Eugene property owners potentially affected by the system understood all of the system's ramifications. He believed there were more questions about the system than answers. He believed that in difficult economic times, such expenditures must be more clearly explained than in the past.

Charles Moss, 4255 Berrywood Drive, recalled his involvement in the search for land for a new community park in Santa Clara and said when he asked about the possible use of eminent domain for such a purpose he was told by City staff that the City did not use eminent domain. He reported he had recently asked Councilor Farr if Lane Transit District (LTD) planned to use eminent domain to acquire the land it needed for the proposed route in West Eugene. Councilor Farr had responded that no one had mentioned eminent domain and no councilors had raised the issue. Mr. Moss hoped the question was asked soon. He suggested that the lack of such questions implied the answer was already known. He said if the Eugene council voted for the project and LTD used eminent domain, the council would, in effect, be approving the use of eminent domain against its citizens and business owners. Mr. Moss concluded by asking how a government could compensate a person for a business that no longer existed once it had taken that person's property.

Kim Sawyer, 2170 Greenview Street, owner of a business on West 11th Avenue, recalled that LTD had used taxpayer money to print an advertisement with the names of 156 people in support of EmX. Mr. Sawyer reported that he had placed a petition opposing the proposed EmX route in his business and more than 200 people signed it without being asked at no cost to him or the City. He said the council needed to listen to its constituents, and business owners were also constituents and they voted. He asked the council to say no to the EmX project at this time. He also asked the council to consider a process similar to the "Envision Utah," which included a public vote. He suggested that LTD employ smaller, more fuel-efficient buses on West 11th Avenue that traveled more frequently when needed and less often when they were not. He also advocated for timed lights and bus turnouts on West 11th Avenue.

Bob Macherione, 1994 Brewer Street, believed that Mayor Piercy was closed to input about LTD's plans for EmX in West Eugene. He responded to what he termed "misinformation" provided to the council by LTD. He said that LTD had stated that fuel was only five percent of the anticipated budget, but provided the route opponents with information that indicated operating costs per mile were projected at \$1.69, and 53 cents of that was fuel and calculated at a time of lower fuel prices. He said at the last board meeting, LTD Finance Director Diane Helleckson had reported to the board that LTD had to recalculate fuel prices but LTD continued to deny that fuel prices were a factor.

Speaking to claims that LTD would reduce congestion on West 11th Avenue, Mr. Macherione said the mitigation proposed by LTD included running 60-foot EmX vehicles in mixed traffic from Garfield to Seneca streets. He pointed out that was half of the most congested part of the route that LTD was supposed to be solving the congestion problem for. He questioned how the congestion problem was going to be solved by an expensive system with buses that traveled in the exact same manner as current buses. He suggested to Councilor Zelenka that his comments about the need to secure additional right-of-way for future light rail indicated he lacked respect for people's properties rights and he predicted property owners would fight "foot by foot and yard by yard" against that prospect.

J. C. Unger, 2130 West 19th Place, offered the council an analogy that likened LTD to a cheating boy playing hide and seek at a party who broke an expensive object but whose parents did not have the money

to pay for it. He said businesses were not “picking a fight” with LTD but rather were defending their rights. He asked why the council would use its power to benefit only three percent of residents while ignoring the rights of others. He suggested the council was acting on behalf of special interests. Mr. Unger said that even if fuel prices tripled, most residents would still not ride EmX but would carpool with neighbors to destinations such as Costco and the unemployment line.

Brian Weaver, 1365 Grant Street, recalled that Councilor Zelenka had once commented that “all of sudden” people were transit experts. He did not think that was the case. He was not an expert nor was he an LTD puppet. He was not going to be taken in by a “slick salesman who kept changing his stories.” Mr. Weaver did not think the Franklin EmX route could be compared with the proposed West Eugene route because the route traveled down the middle of Franklin Boulevard and the road did not need to be widened, and there were population concentrations at either route terminus. West 11th Avenue did not have similar characteristics.

Mr. Weaver asked if the council was voting on the mitigation drawings or the concept drawings and if it was aware of the difference. He said that LTD submitted the concept drawings to the Federal Transit Agency, and he anticipated that approach would require the use of eminent domain given that the alternative was a system that resembled what was in place today. He said Mayor Piercy had indicated to him that LTD had a survey proving public support for the proposed route, but the survey was on LTD’s Facebook page and he questioned its accuracy. He distributed copies of the survey.

Philip Marvin, 2241 Fairmount Boulevard, opposed the West 11th Avenue EmX route. He owned property on West 11th Avenue and said the existing bus system was more than adequate. He believed it was irresponsible for LTD to accept federal money for the project when it was not needed. He also owned property in Glenwood that the EmX system ran past and the system had not helped his business at that location at all.

Marjorie Scott, 1642 West 6th Avenue, said in the past, LTD had relied on large grants to balance its operating budget. She believed that those days were over because of the economy and reductions in federal spending. She suggested that untimely expenditures at LTD could collapse the whole system. Ms. Scott believed the council should be sure the majority of citizens wanted the system before it voted on the route. She believed there were other more suitable routes and they should be investigated. She said that LTD’s estimates for future expenses varied widely. Ms. Scott called for an independent audit of the project. She questioned whether LTD’s estimates included the costs of relocating utilities, traffic control, and business signage. She asked who would pay for costs overruns. She asked the council to do more research before it voted.

Sue Scott, 1642 West 6th Avenue, read a letter on behalf of Casey Dressler, owner of the Springfield Dry Cleaners. The letter was critical of LTD for failure to communicate with property owners about the dedicated bus lane proposed to be located along Pioneer Parkway, detailed Ms. Dressler’s fight to retain parking on Pioneer Parkway, and described the negative impacts experienced by the business during construction of the route.

Pauline Hutson, 1025 Taylor Street, continued to read Ms. Dressler’s letter regarding the negative experiences her business went through during the construction phase of the Gateway EmX project, including lost sales. Ms. Dressler’s letter stated that LTD had been unresponsive to those concerns. She went on to state that two businesses near her had closed because of the project and that 113 buses traveled by her business daily. Because of the proximity and number of buses, customers were reluctant to use the parking spaces on Pioneer Parkway. Ms. Dressler stated that LTD had assured her that the route would bring her more business but that never occurred. She supported bus transit but she did not support EmX.

George Cole, 2760 West 11th Avenue, defended residents who supported a no build position for the proposed West Eugene EmX route. They asked that government listen to them and give them value for the money it was spending. He said none of the opponents were experts on transportation and did not pretend to be, but all of them had contacted and communicated with experts. Many people retired from government thought the project was a bad one. Mr. Cole said Mayor Piercy did not like strip malls such as those along West 11th Avenue but such malls were essential to some businesses.

Mr. Cole said he had learned a \$160,000 lesson from LTD because it threatened him with eminent domain. He did not trust LTD. He said when LTD referred to mitigating with businesses it was only trying to delay the process. Mr. Cole predicted that as Councilor Zelenka had suggested, it was only a matter of time before LTD came after additional right-of-way on West 11th Avenue.

Rhiannon Springall, 1475 East 15th Avenue, a University of Oregon student, supported the West Eugene EmX route extension because it would make West Eugene more accessible to the rest of Eugene, including students living in the vicinity of the University. She believed EmX was an investment in the community's future, and suggested it would be wise to prepare for EmX now when congestion was less than it would be in the future. She noted LTD's statement that it would work to minimize the impacts of construction. Ms. Springall urged the council to look at the "big picture" and get a head start on developing a more accessible, more efficient community.

Charles Hibberd, 2663 Dover Street, a business owner on West 11th Avenue, opposed the proposed West Eugene EmX route. He suggested that if three percent of the predicted 30,000 new residents anticipated in the next 20 years arrived tomorrow and rode a bus, LTD would not notice a difference because that three percent totaled only 1,600 people. Mr. Hibberd suggested the EmX service was unneeded because the current system was underused. He recommended that LTD reroute its current buses for more effective service.

Mr. Hibberd cited some of the nationally known products made by companies located in West Eugene, and questioned their need for EmX service. They were industrial companies with few employees. Mr. Hibberd suggested that they would be negatively affected by an EmX route because it would disrupt the trucks that served those businesses.

Wendy Butler Boyesen, 1265 City View Street, suggested that EmX would streamline traffic on West 11th Avenue. She averred that businesses in West Eugene did not rely on West 11th Avenue for truck deliveries and instead used other routes, such as 6th and 7th avenues and Highway 99. Ms. Boyesen said that eminent domain was the last resort for LTD. She maintained that LTD had stated from the beginning of the project that the conceptual drawings were only ten percent of the final drawings, and there would be mitigations and changes.

Ms. Boyesen reported she spoke to two businesses owners on West 11th Avenue who commended their interaction with LTD staff.

Ms. Boyesen noted the many people who used the bus system, particularly when gas prices went up. She then shared a story about Mall 205's refusal to allow buses to enter its parking area and suggested that was the reason that the mall was not doing well. Ms. Boyesen praised LTD for having a balanced budget and for adding buses with federal stimulus money. She maintained the current bus system along West 11th Avenue was inadequate and she frequently had to ride buses with standing room only.

William Moskal, 1166 Oak Street, agreed that bus ridership went up when gas prices went up. However, he expressed concern about the possible use of eminent domain, which made possible the development of the Chicago Skyway Bridge, which he termed a "big white elephant" that turned its part of Chicago into a

ghetto. He did not think that EmX was needed in West Eugene. He observed that he had just been at the Service Station and questioned the community's need for \$1 million buses.

David Gizara, 3550 West Amazon Drive, Apartment 7, submitted and reviewed six talking points regarding the merits of bicycling and walking that were developed by the City's Bicycle and Pedestrian Advisory Committee (BPAC), which advised City Planning staff. He advised the council that the committee supported the West Eugene EmX extension and favored the West 11th/13th Avenue option. He asked the council to consider expanding the committee's charge so it served directly at the council's pleasure.

Councilor Taylor closed the Public Forum and called on the council for questions and comments.

Councilor Clark welcomed Boy Scout Troop 61 to the meeting.

Councilor Clark asked staff to identify which of the properties along West 11th and West 13th Avenue affected by the route would require property acquisition either through negotiation and purchase or through eminent domain. He asked that the information be specific as to whether the acquisition was full and partial and what percentage of the property in question the acquisition represented.

Councilor Clark requested information about the process, timing, and cost involved in referring the council decision about the West Eugene EmX alignment to the public for a vote.

Councilor Brown responded to Mr. Callahan's testimony, saying he was not thinking about students when he offered the resolution as much as he had been thinking about residents who lived below the poverty line and his desire to avoid impacting them negatively. For that reason, he had offered the council a resolution that he believed was more balanced, progressive, and did not overly burden those at the bottom of the economic scale. He pointed out that five councilors had agreed to support the resolution, and the public would have the final say.

Speaking to the Boy Scouts present, Councilor Ortiz said it was exciting when young people attended a council meeting because of their interest in public service and government. She said the Public Forum was an opportunity for the council to hear the public's concerns and stories, which were generally quite varied and which she found both interesting and surprising.

City Manager Ruiz clarified that the City's population was projected to grow by 34,000 people in the next 20 years.

Councilor Taylor welcomed the Boy Scouts and expressed appreciation for Mr. Gizara's remarks.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - May 24, 2010, Work Session
 - June 28, 2010, Regular Meeting
 - June 30, 2010, Work Session
 - July 12, 2010, Work Session
 - November 22, 2010, Joint Meeting with Eugene Planning Commission
 - December 13, 2010, Work Session
 - December 15, 2010, Work Session
 - January 4, 2011, State of the City
 - January 11, 2011, Work Session

- January 11, 2011, Regular Meeting
 - January 12, 2011, Work Session
 - January 19, 2011, Work Session
 - January 24, 2011, Work Session
- B. Approval of Tentative Working Agenda**
- C. Ratification of Intergovernmental Relations Committee Minutes**
- D. An Amendment of Resolution 4999 Approving a Low-Income Rental Housing Property Tax Exemption for the Property Located at 2984, 2986, 2988 Oak Street, Eugene, Oregon (ShelterCare/Applicant)**

Councilor Brown, seconded by Councilor Poling, moved to approve the items on the Consent Calendar as amended on February 25, 2011. Roll call vote: The motion passed unanimously, 8:0

**3. ACTION:
Fiscal Year 2012-2017 Capital Improvement Program**

Councilor Brown, seconded by Councilor Poling, moved to adopt the FY12-17 Capital Improvement Program as recommended by the Budget Committee and City staff.

Responding to a question from Councilor Clark, Budget Management Analyst Pavel Gubanikhin said that approval of the document did not create budget authority for any of the listed projects. Councilor Clark asked when the council would consider funding for Creekside Park. City Manager Jon Ruiz recalled that the Budget Committee had appropriated \$300,000 in a Supplemental Budget for the park project. City Engineer Mark Schoening said the second half of the funding was expected to be included in the first Supplemental Budget for Fiscal Year 2012, and he anticipated that the project would be built in summer 2012.

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

**4. ACTION:
An Ordinance Providing for Withdrawal of Annexed Properties from the Lane Rural Fire District, the River Road Park & Recreation District, and the River Road Water District**

Councilor Brown, seconded by Councilor Poling, moved that the council adopt Council Bill 5043 withdrawing territories from the Lane Rural Fire District, the River Road Park & Recreation District, and the River Road Water District.

Responding to a question from Councilor Clark, City Manager Ruiz said he would check with Library, Recreation, and Cultural Services Director Renee Grube as to whether she had scheduled discussions with representatives of the River Road Park & Recreation District.

Councilor Clark indicated he would oppose the motion in deference to the testimony offered by the representative of the district. Councilor Ortiz recalled that Director Grube had met several times with the district over the past three years to discuss several issues and asked what outcome Councilor Clark was seeking from such discussions.

Roll call vote: The motion passed, 7:1; Councilor Clark voting no.

5. **ACTION:**
Ratification of Unanimous IGR Actions and Action on Non-Unanimous IGR Actions from January 26, February 2, and February 9, February 16, and February 23, 2011

Intergovernmental Relations Director Brenda Wilson was present for the item via speakerphone.

Councilor Brown, seconded by Councilor Poling, moved to ratify the Council Committee on Intergovernmental Relations' (CCIGR) unanimous actions on bills and approval of staff recommendations in the January 26, February 2, February 9, February 16, and February 23, 2011, IGR Bill Reports for bills not pulled for discussion at CCIGR meetings.

Councilor Farr expressed discomfort with the process as he was not familiar with all the bills in question. He asked if support for the motion committed him to agreeing with the legislation being considered. City Attorney Glenn Klein said a vote to approve the motion was a vote that the City's position on a bill would be consistent with the position taken by the CCIGR. He said that Councilor Farr could state his disagreement with the positions taken and he was not precluded from sharing his position on a bill with a member of State legislature if he was clear that he was not speaking for the City.

Councilor Farr asked how the legislature responded to the City taking a position on so many bills. Adam Walch of the City's Intergovernmental Relations Office in Salem responded that the CCIGR attempted to focus the City's lobbying efforts on legislation that affected the City's budget, operations, and other interests of the City of Eugene.

Responding to a question from Councilor Clark, City Attorney Klein clarified that it was not illegal for councilors to oppose adopted council policy and referred Councilor Clark to Section 9.02 from the council's operating agreements, which confirmed his earlier statements to Councilor Farr.

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

The council then discussed the bills that had not received unanimous IGR support.

Senate Bill 0186

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 3 Support for Senate Bill 0186.

Councilor Zelenka, seconded by Ms. Ortiz, moved to amend the motion to change the City's position on Senate Bill 0186 to Neutral. Roll call vote: The amendment to the motion passed, 6:2; councilors Clark and Farr voting no.

Roll call vote: The motion as amended passed, 5:3; councilors Poling, Clark, and Farr voting no.

House Bill 2181

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 2 Support for House Bill 2181.

Councilor Zelenka, seconded by Councilor Ortiz, moved to amend the motion to change the City's position on House Bill 2181 to Priority 2 Oppose.

Responding to a question from Councilor Clark, Ms. Wilson explained that staff had recommended the City take a position of Priority 2 Oppose on the bill because it provided for attorney fees to be awarded in any land use appeal where an applicant prevailed. Many organizations, including the League of Women Voters and 1,000 Friends of Oregon, opposed the bill because of concerns it would deter people from appealing land use decisions. Ms. Wilson said that House Bill 2181 and House Bill 2182 were components of a larger discussion of land use taking place in the legislature. She did not think the bill would pass as drafted.

Councilor Clark, seconded by Councilor Poling, moved to amend the amendment to change the City's position on House Bill 2181 to Monitor.

Councilor Ortiz did not support the motion. At her request, Mr. Walch described the distinctions between the priority positions the City took on legislation and the amount of time that staff spent lobbying for bills depending on the priority assigned. Councilor Ortiz preferred the original staff recommendation for House Bill 2181, Priority 2 Oppose.

Councilor Clark noted the staff recommendation for House Bill 2182 had been for a Neutral position and he preferred to take the same position for House Bill 2181 while legislative discussions occurred.

Councilor Pryor indicated he could support either a Monitor or Neutral position with the caveat that he wanted the City to be able to act when more was known about the outcome of the legislative discussion.

Responding to a question from Councilor Brown, Ms. Wilson said that the Land Use Board of Appeals already had the ability to declare an appeal frivolous. Councilor Brown perceived the bill as an attack on the land use system and indicated support for Councilor Zelenka's amendment.

Councilor Zelenka believed the bill would have an intimidating effect and could eliminate all appeals.

Roll call vote: The amendment to the amendment failed, 4:4; councilors Poling, Pryor, Clark, and Farr voting yes, and councilors Taylor, Ortiz, Pryor, and Brown voting no.

Roll call vote: The amendment to the motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Roll call vote: The main motion as amended passed, 5:3; councilors Poling, Clark, and Farr voting no.

House Bill 2182

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 3 Support for House Bill 2182.

Councilor Zelenka, seconded by Councilor Ortiz, moved to amend the motion to change the City's position on House Bill 2182 to Neutral. Roll call vote: The motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Roll call vote: The main motion as amended passed, 5:3; councilors Poling, Clark, and Farr voting no.

Senate Bill 0542

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 3 Oppose for Senate Bill 0542.

Responding to a question from Councilor Ortiz, Ms. Wilson explained that the League of Oregon Cities was attempting to remove the restrictions in the use of transient room tax funds to allow more flexibility in their use as long as the use was still related to tourism. The bill would allow the tax revenues to be used by local governments to maintain roads that serve tourist destinations.

Councilor Poling explained that he proposed to change the staff recommendation for Priority 2 Support because the definition of tourism-related facilities was vague. He believed that under the definition, Interstate 5 could be considered such a facility. The loss of the transient room tax funding would be detrimental to the promotion of tourism. It was unclear how the bill would affect the funding for organizations such as Travel Lane County.

Councilor Clark agreed with Councilor Poling's position, although he was generally supportive of increasing local control. He was concerned about the potential loss of funds used for marketing tourism and he did not think that such funding should be eliminated in difficult economic times. He suggested that one unanticipated outcome of the passage of the bill could be that the City lost State Road Fund moneys.

Councilor Zelenka also found the definitions vague and questioned how one defined a road that served a tourist destination.

Ms. Wilson agreed with Mr. Poling that the definitions in the bill were very broad.

Councilor Taylor moved to amend the motion to change the City's position on the bill to Priority 2 Support. The motion died for lack of a second.

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

House Bill 2231

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Monitor for House Bill 2231.

Councilor Zelenka, seconded by Councilor Taylor, moved to amend the motion to change the City's position on House Bill 2231 to Priority 1 Support.

Councilor Clark said that in general, those who smoked were low-income. The City worked to change the school income tax referral to avoid affecting the low-income, and the bill in question would increase taxes on the same group. He did not support the motion.

Responding to a question from Councilor Brown about the anticipated increase, Mr. Walsh said it would increase five cents. Councilor Brown asked what the tax was used for. Mr. Walsh reviewed the allocation split for the revenue realized by the tax. He also noted that the bill required three-fifths approval by both legislative houses.

Councilor Ortiz asked if the bill was likely to pass. Ms. Wilson said it was possible. The State was struggling to raise extra revenue. No matter the position the City took, staff planned to watch the bill closely to ensure that the City's share of the revenue was not reduced.

Councilor Pryor pointed out that people smoked because they chose to, not because they had to. However, he acknowledged Ms. Wilson's remarks about the bill's impact on the City's bottom line, so he was willing to support the CCIGR's position.

Roll call vote: The amendment to the motion failed, 4:4; councilors Poling, Clark, Pryor, and Farr voting no, and councilors Taylor, Ortiz, Zelenka, and Brown voting yes.

Roll call vote: The main motion failed, 4:4; councilors Poling, Clark, Pryor, and Farr voting yes, and councilors Taylor, Ortiz, Zelenka, and Brown voting no.

City Attorney Klein indicated that as a result of the tie, the City would have no position on House Bill 2231.

House Bill 2352

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Monitor for House Bill 2352.

Councilor Zelenka, seconded by Councilor Ortiz, moved to amend the motion to change the City's position on the bill to Priority 3 Oppose.

Ms. Wilson said staff originally recommended a position of Priority 3 oppose because as drafted, the bill required local governments to keep a rolling supply of industrial land and they would be required to mitigate lost acreage immediately. The land in question must also be shovel-ready within a year, which was very challenging to accomplish. Ms. Wilson said the issues it addressed were very complex but the bill itself was very simple and she believed it was unworkable. She thought the concept behind the bill would be addressed through other bills. She recommended the City monitor the bill and see how it fit in to the legislature's land use discussion.

Councilor Clark believed that the approach embodied in the legislation was similar to the goal the City was trying to accomplish in the Envision Eugene process, that of a ready-to-go inventory of industrial lands.

Councilor Zelenka disagreed with Councilor Clark. He pointed out the bill called for any lost industrial land lost to development to be immediately replaced by more industrial land no matter the jurisdiction's total land supply. It would "set in stone" the amount of industrial land.

Roll call vote: The amendment to the motion failed, 4:4; councilors Taylor, Ortiz, Zelenka, and Brown voting yes, and councilors Poling, Pryor, Clark, and Farr voting no.

Roll call vote: The motion failed, 3:5; councilors Poling, Pryor, and Clark voting yes.

Mr. Klein noted that as the result of the motion, the council would not have a position on House Bill 2352.

House Bill 2609

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Monitor for House Bill 2609.

Councilor Zelenka asked what “shovel ready” meant. Ms. Wilson defined shovel ready as lands that were ready for construction one year from the date of building application or a request for the extension of urban services. City staff did not believe the City had the resources to make such lands shovel-ready in one year. Councilor Zelenka believed the bill was unrealistic and indicated opposition to the motion.

Councilor Clark suggested the bill was a vehicle to achieve the City’s goal of a more frequent analysis of the land supply. He said he tended to support the bill but because of the uncertainty of the outcome of the ongoing legislative discussion had agreed to a position of Monitor.

Councilor Ortiz noted the staff suggestion that the bill would restrict the City’s ability to make local decisions about how best to monitor and adjust its strategies, and indicated opposition to the motion.

Councilor Zelenka noted that staff also indicated that the financial impact of the bill could be significant and could lead to regular expansion of the urban growth boundary as well as shift the City’s efforts away from brownfield redevelopment opportunities.

Councilor Zelenka, seconded by Councilor Taylor, moved to amend the motion to change the City’s position on House Bill 2609 to Priority 2 Oppose. Roll call vote: The amendment failed, 4:4, councilors Taylor, Ortiz, Zelenka, and Brown voting yes, and councilors Poling, Pryor, Clark, and Farr voting no.

Roll call vote: The main motion as amended failed, 5:2; councilors Poling, Clark, and Pryor voting yes.

As a result of the motion, the council took no position on House Bill 2609.

House Bill 2518

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation for a Neutral position on House Bill 2518.

Councilor Zelenka, seconded by Councilor Taylor, moved to amend the motion to change the City’s position on House Bill 2518 to Priority 2 Support.

Responding to a question from Councilor Zelenka, Ms. Wilson confirmed that the City’s position related to preemption of local government had existed for some time. The bill would lift an existing preemption and give the City more local control.

Councilor Clark did not support new taxes in a challenging economy but he acknowledged local control was an important issue for the City. For that reason, he had supported a position of Neutral in an attempt to find a middle ground. He speculated that the Oregon Realtors Association might oppose any efforts to establish a transfer tax, leading to a contentious community fight. For that reason, he supported a Neutral position as a middle ground.

Councilor Zelenka pointed out that bill did not create or impose a new tax; it merely gave the City the ability to impose such a tax. Ms. Wilson concurred.

Councilor Taylor recalled the City's previous attempts to impose such a tax. She concurred with the remarks of Councilor Zelenka.

Councilor Poling said he supported local control but he was concerned that the bill would allow this or a future council to impose such a tax, and he did not support that. He believed a neutral position was best.

Roll call vote: The amendment to the motion failed, 5:3; councilors Taylor, Zelenka, and Brown voting yes.

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

House Bill 2563

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 3 Oppose for House Bill 2563.

Responding to a question from Councilor Clark, Ms. Wilson clarified the proposed bill did not affect the text of a bill sponsored by Representative Val Hoyle that was passed in the special session of 2010 with the City's support. Councilor Clark said he had recommended the Priority 3 Oppose position for the bill because of concerns about its impact on the 2010 legislation, which addressed property tax exemptions for low-income residents living in mobile homes. He did not want to see those exemptions ended. Ms. Wilson did not know if the bill impacted those exemptions and recommended the council support the bill and seek amendments if it did.

Councilor Zelenka, seconded by Councilor Ortiz, moved to amend the motion to change the City's position on House Bill 2563 to Priority 2 Support provided it did not impact Representative Hoyle's previous language supported by the City. Roll call vote; the amendment to the motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Roll call vote; the amended motion passed, 5:3; councilors Clark, Farr, and Poling voting no.

House Bill 2370

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 2 Support for House Bill 2370.

Ms. Wilson recalled that Councilor Poling had opposed the bill out of concerns about its impact on the City's ability to dispose of its own property. Councilor Clark determined from Ms. Wilson that the bill gave ODOT 30 days to inform the City whether it was interested in buying the property. The bill did not give ODOT a special price for the land. Representative Nancy Nathanson proposed the bill to facilitate the acquisition of right-of-way that was essential to rail expansion.

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

House Bill 3146

Councilor Brown, seconded by Councilor Poling, moved to adopt the CCIGR recommendation of Priority 3 Support for House Bill 3146.

Councilor Brown asked who sponsored the bill and why staff had opposed it. Ms. Wilson indicated that the bill was proposed by Representative Kim Thatcher at the request of a constituent. She said that in general, local governments seeking condemnation secured an appraisal to determine the value of a property, rather than relying on real market value, which would not typically reflect the actual value of a property. For that reason, staff had opposed the bill.

Councilor Clark recalled his concern about the bill had been about what represented just compensation and real market value in a time of dramatically changing land values. There was a difference between the value people paid taxes on and the market value of the property. He believed there was an issue of justice involved when people were forced to give up their property. He was also concerned about how the bill would affect discussions of property condemnation for an EmX route on West 11th Avenue

Councilor Zelenka pointed out that LTD had not condemned any property for the first two phases of EmX. He suggested that any condemnation that occurred on West 11th Avenue would be because property owners refused to sell, terming that a “self-fulfilling prophecy.” He further pointed out that the bill used the term “real market value,” which was a term used by the County Assessor but which did not reflect actual market value. In a condemnation suit, government would pay the market value of the property, not the assessed market value on the assessor’s books.

Councilor Zelenka, seconded by Councilor Taylor, moved to amend the motion to change the City’s position on House Bill 3146 to Priority 3 Oppose.

Councilor Clark clarified that his concern was that people whose property was condemned would receive less than the value they had been paying taxes on, which he thought was adding insult to injury.

Councilor Zelenka suggested to Councilor Clark that it was not always the case that a property’s real market value was higher than the current market value; the real market value was simply the value the assessor had on the books, and that value could be ten years old. The market value could be substantially higher. He interpreted the bill as allowing the market to work and set the value of a property, as opposed to a bureaucrat setting that value.

Roll call vote: The amendment to the motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Roll call vote: The amended motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Councilor Taylor adjourned the meeting at 9:52 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

March 14, 2011
 5:30 p.m.

COUNCILORS PRESENT: George Brown, Andrea Ortiz, George Poling, Mike Clark, Chris Pryor, Alan Zelenka, Pat Farr.

COUNCILORS ABSENT: Betty Taylor.

Honor Mayor Kitty Piercy called the March 14, 2011, work session of the Eugene City Council to order.

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

The City Council met in executive session in accordance with Oregon Revised Statute 192.660(2)(h).

**B. ITEMS AND COMMITTEE REPORTS:
 Police Commission, Lane Metro Partnership, Lane Transit District/EmX, Oregon
 Metropolitan Planning Organization Consortium, McKenzie Watershed Council, Housing
 Policy Board**

Mr. Clark reported that the Eugene Police Commission completed its work on the Use of Force policy reviews in February. The commission heard a status report on its work plan and learned it was ahead of schedule. In March the commission learned the Civilian Review Board had two openings, discussed the challenges faced by the Eugene Police Department (EPD) in investigating crimes against the homeless population, and talked about the work planned by the commission's Outreach Committee to improve communications between the EPD and the community. The commission also discussed its policy review process to clarify the process for all members and to illustrate where people could provide input into the process to request reviews. Mr. Clark offered to share the policy review flow chart developed to illustrate the process with interested councilors. He concluded by saying the commission discussed its upcoming process retreat.

Mayor Piercy added to the report on the Police Commission by saying that Police Chief Pete Kerns also provided his regular monthly report in March and indicated that the EPD would do targeted enforcement in the West University Neighborhood over spring break, that burglaries continued to decline, and that the department was currently hiring new officers.

Mr. Clark invited councilors to let the commission know if they had a suggestion for the work plan.

Mr. Zelenka asked if the Civilian Review Board provided input into the selection of its new members. Mr. Clark said yes. Mr. Zelenka asked who would produce the survey mentioned. Mr. Clark indicated the Outreach Committee would do the survey with the assistance of staff familiar with survey development. Mr. Zelenka emphasized the importance of asking the right questions.

Mr. Zelenka asked how the Police Commission would address personnel needs in its review of the EPD budget. Mr. Clark did not know the specifics of the review but it would be presented to the full commission.

Ms. Ortiz said members of the Police Commission expressed concern about the closure of the Whiteaker Public Safety Station. When she visited it was always busy. She hoped that the department would do something to sustain a presence in the neighborhood and was in contact with more than just a few Whiteaker residents. Several commissioners also expressed concern that the council gave it support to have the meetings video-recorded so the recordings could be made available for others to view. She wanted resolution to that issue. Mayor Piercy said that Keli Osborn of the City Manager's Office had indicated to her staff was working on making such videos available in an equitable manner for all advisory committees. Mr. Clark supported a budget allocation to support video recording for the Police Commission. City Manager Jon Ruiz agreed to follow-up.

Mr. Pryor distributed copies of the Housing Policy Board report.

Mr. Poling reported that Lane Transit District's EmX Steering Committee met on March 1 to hear an update on the performance of the Gateway EmX route. On-time arrivals were not meeting expectations due to new riders, congestion at Beltline and Gateway, and signalization coordination. Overall ridership had increased beyond projections. Staff also provided an update of the West Eugene EmX proposal by briefing the group about the council work session. Mr. Poling announced that Travel Lane County was holding an open house at its Gateway facility on March 16.

Mr. Farr reported that he had attended his first meeting of the Metro Partnership on March 3 and learned there were 31 open items on the organization's activity report, which he offered to make available to other councilors.

Mr. Brown reported on the work of the McKenzie Watershed Council, saying the council held its March meeting in Leaburg at the fire station. The council heard a presentation from the local Oregon water master, who discussed the details of western water law. The council was moving forward with a riparian shade sponsorship program on Cedar Creek, which was a McKenzie River tributary.

Mayor Piercy reviewed the legislative priorities of the Oregon Metropolitan Planning Organization Consortium, noting that the priorities were generally aligned with Eugene's priorities.

Responding to a question from Mr. Zelenka, Mayor Piercy confirmed that Oregon had applied for the high speed rail funds rejected by other states.

Mayor Piercy adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

March 14, 2011
 7:30 p.m.

COUNCILORS PRESENT: George Brown, Andrea Ortiz, George Poling, Mike Clark, Alan Zelenka, Chris Pryor, Pat Farr.

COUNCILORS ABSENT: Betty Taylor.

Her Honor Mayor Kitty Piercy called the March 14, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Deborah Frisch, 3503 West 11th Avenue, criticized the council for failure to put forward a restaurant tax to support schools. She suggested that it would provide more return because of a larger tax base, including nonresidents, it would have more compliance, it had lower administrative costs, and it was more likely to be approved by voters. A restaurant tax was discretionary while an income tax was not avoidable. She did not believe the council wanted the tax to succeed and asserted it was being indifferent to the civil rights of students and could be sued for violating those rights as a result.

Genie Harden, 85240 Chezem Road, owner of two Nigerian goats, said her research into the City's Food Security Resource Scoping Plan inspired her to advocate for urban goat keeping. She said that urban homesteading was not just a hobby or fun; she perceived it as a way to change the food production system to replace the current system. She asked the council to form a committee to oversee implementation of the Food Security Plan as soon as possible.

Robin Chappell, 4445 Fox Hollow Road, asked that the City allow goat keeping inside the city limits to support sustainable farming in and near Eugene.

Zoë Hoft, 29650 Fox Hollow Road, shared a letter she wrote to Mayor Piercy asking her to support goat keeping in Eugene and describing the virtues of goats. She suggested that goats were part of a sustainable community. Caring for goats taught her responsibility.

Christa Knittle, 1397 Garfield Street, hoped to purchase two Nigerian mini-goats in the future because they made good pets and because of their ability to produce milk for food and manure for the garden. They were affectionate, intelligent, trainable, and not destructive if properly housed. She suggested that goats be licensed like dogs.

Bill Bezuk, 501 Washington Street, owner of the store "Eugene Backyard Farmer," an urban farming supply store, spoke of the diversity of urban farmers. He said urban farmers did their research and he

provided additional education through his store, which was essential to successful husbandry. Residents loved their backyard farms and were beginning to ask him about other aspects about biodiversity, including goats. He suggested the percentage of residents who would actually purchase goats was quite small.

Christelle Munnely, 4445 Fox Hollow Road, introduced herself as a soap maker who used goat's milk in her manufacturing process and relied on local resources for her supply. She suggested that if the City allowed goats more residents would keep them and she would be able to pick up her raw materials locally on her bicycle. She could also keep her own goats.

Alexandra Rempel, 460 Mary Lane, advocated for the City to accommodate goats on smaller residential lots than were currently allowed. She noted that currently, the City allowed goats in R-1 zones on lots of more than one-half acre. She shared details of how several United States cities, including Seattle, Washington; Vancouver, Washington; Berkley, California; Charlottesville, Virginia; and Portland, Oregon regulated goat keeping inside their city limits and provided that information to the council.

Cam Fax, no address given, advocated for the City to allow goats on plots smaller than was currently allowed. He said that dogs made more noise than goats. He spoke of the efficiency of goats and the fact they provided milk. He pointed out that dogs produced nothing by way of food products, although he acknowledged some people ate them. He did not understand why the council did not allow goats in the city when it allowed dogs and cats in apartments.

Marshall Gause, 2520 Van Buren Street, also spoke in favor of changing the code to allow goats in the urban setting. He believed they were an important part of an urban ecosystem. Goats produced between one and eight pounds of milk daily and were easily trained. Current regulations precluded goat keeping on properties below a certain size, and he believed that was a matter of food justice. If the City changed the code, those who lived on smaller spaces and would benefit from goats could now own them. He said that many people were excited about the issue and had become involved in an effort to change the code. They had formed a group called *Eugene Urban Goats* and had collected more than 152 signatures of Eugene residents in support of changing the code to allow goats on normal sized urban lots. In the interim, he suggested the City freeze enforcement of the current code.

Sage Fox, no address given, asked the council to allow goats within the city limits because they produced milk and were an outstanding source of milk because one goat could produce one quart of milk per day. Two goats could produce enough milk for a family, which avoided packaging costs and eliminated the carbon emissions required for transporting milk. Goat's milk could come from the back yard and no fossil fuel was needed to transport it. He also believed that goat's milk from one's back yard was superior to commercially produced milk as one could control what was fed to the goats.

Katja Kohler, 2520 Van Buren Street, said she would like to devote part of her 8,000 square-foot lot to two small milking goats. She urged the council to either suspend enforcement of the current code or change it. Her children could not digest pasteurized milk but could drink the raw milk that would be supplied by the goats. She pointed out that in addition to milk production, goats consumed blackberries and weeds. Her site visits indicated that people who lived in Portland and Seattle and kept goats were satisfied with the regulations in those communities even those communities were more densely populated than Eugene. Her family was unable to afford sufficient land to meet current code requirements but she assured the council that her family would give its goats and chickens a better life than they would otherwise have.

Mary Wood, 1515 Agate Street, summarized the recommendations of a white paper from the Environmental Law Program at the University of Oregon on the subject of reforming local land use laws to allow micro livestock on urban homesteads and submitted copies of the paper to the council.

Cheryl Smith, 22705 Highway 36, Cheshire, publisher of “Ruminations,” a magazine celebrating the small goat, discussed her experience as the owner of miniature goats. She said that goats did not stink and their feces were pellets. She did not advocate for allowing non-neutered male goats inside the city limits. She reviewed the space requirements for goats, indicating 100 square feet could support two miniature goats. She clarified that pygmy goats were good pets but were not normally milking goats. Ms. Smith shared some of the requirements of goat keeping and described some of the benefits of keeping miniature goats, which could also be taught tricks and trained to walk on a leash.

Ron Crasilneck, 2123 Spring Terrace, representing the organization “Save Civic Stadium,” thanked the council for scheduling a work session on Civic Stadium and invited the council to visit the Web site “SaveCivicStadium.org.” He said his six-person organization was a group of community volunteers acting on behalf of thousands of people who had a personal connection to the stadium. He recalled the study commissioned by the City and Save Civic Stadium, which suggested the stadium could be revitalized into a community sports and entertainment hub. He conceded an investor group was unable to move that project forward. However, his organization had reconfigured the project to move forward on a nonprofit basis. He reported that the United States Soccer League wished to locate a team in Eugene. His organization was meeting with the management of the Portland Timbers soccer team to discuss potential areas of collaboration. Mr. Crasilneck said the existence of the stadium was in jeopardy because School District 4J had not forwarded his organization’s proposal for board consideration. He believed the district was viewing the property as a money-making opportunity rather than considering its highest and best use for the broader community.

Jonathan Brandt, 57 West 20th Avenue, also representing the organization “Save Civic Stadium,” said that his organization had a viable plan for the property that met stated City goals related to sustainability, neighborhood livability, historic preservation, economic development, and tourism. The plan was the highest and best use for property because it preserved the stadium, was more appropriate for the neighborhood, had more community-wide benefits, and was sufficiently flexible to accommodate partners such as the YMCA. He also believed that the stadium presented the opportunity to bring a professional soccer sports team to Eugene.

Jim Watson, 2411 Monroe Street, discussed Rickwood Field in Birmingham, Alabama as an example of a facility on which to model the future of Civic Stadium.

Alan Beck, 2692 Villa Way, Springfield, asked the council to indicate to the school district what its preference was in regard to Civic Stadium. He suggested that consideration should include historic preservation, neighborhood livability, economic development and jobs, and tourism.

Julia Serra, 515 Berntzen Drive, asked the council to allow residents to keep goats. She did not think goats would be more intrusive than dogs. She believed the keeping of goats supported Eugene’s sustainability goals and supported local food production. She wanted to know where her food came from. Ms. Serra did not want her money to support less-than-ethical farming practices and was also concerned about rising gas prices. She wanted her family to be self-sufficient. She reported that she had talked to her neighbors about the issue and none objected if she wished to keep goats.

Bob Machierione, 1995 Brewer Road, believed that goats might not be bad neighbors. He thanked the councilors for taking into consideration the information provided by his organization, Our Money Our

Transit, to make an informed decision. He said there were many people opposed to the route and he felt that the concerns of those people were minimized over the project review period. His organization, which was a grassroots organization, was gaining momentum and support in regard to the issue. He said that supporters of EmX had insinuated that his organization received outside funding but such organizations developed when people strongly believed in an issue.

Mr. Machierione did not think that the proposed EmX route was viable because LTD's own numbers indicated that the operating costs were too expensive. LTD did not have the money to operate the route. The agency had been using federal money for operating expenses for some time. LTD could not continue to spend at a deficit rate. He pointed out that LTD had faced a \$3 million funding gap and had reduced basic bus service by 20 percent. He did not think it made sense for LTD to spend \$1 million annually to operate in a 4-1/2 mile corridor given that the corridor had bus service already.

Mayor Piercy closed the Public Forum and thanked people for their remarks. She observed that she had once owned a goat, and recalled how inquisitive it was. She solicited council questions and comments.

Councilor Farr thanked those who testified for their information about goats.

Councilor Ortiz was willing to consider changes to the code to accommodate urban goat keeping.

Councilor Brown thanked all for testifying. He believed that the council could come up with a solution that allowed people to keep 2 or 3 goats. He thanked those who spoke on behalf of Civic Stadium, saying it would be tragic if the facility was torn down. He believed the City had a role to play in the property's disposition through its moral authority and suggested it could broker a compromise that saved the facility.

Councilor Zelenka supported a council work session on goats.

Responding to a question from Councilor Farr, City Attorney Glenn Klein indicated that the council could provide input about its ongoing support of the West Eugene EmX project to LTD as long as that occurred before LTD took final action on the project. Because the action the council took on March 9 was not formalized through a legal action, the council had the ability to amend its action at a future meeting.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - January 24, 2011, Regular Meeting
 - February 14, 2011, Regular Meeting
 - March 1, 2011, Boards and Commissions Interviews
- B. Approval of Tentative Working Agenda**
- C. Ratification of Intergovernmental Relations Committee Minutes of February 23, 2011**
- D. Approval of Neighborhood Matching Grants for Fiscal Year 2011**
- E. Adoption of Resolution 5026 Authorizing the Issuance and Sale of Electric Utility System Revenue Bonds for the Purpose of Financing Improvements to the Electric Utility System in the Aggregate Principal Amount Not to Exceed Thirty-six Million Dollars (\$36,000,000)**
Authorizing the Issuance and Sale of Electric Utility Revenue Refunding Bonds in the Aggregate Principal Amount of Not to Exceed Forty-Six Million Eight Hundred Thousand Dollars (\$46,800,000) to Refund Series 1998A Taxable Bonds and Series 2001B Bonds; and Providing for Related Matters

F. Adoption of Resolution 5027 Authorizing the Issuance and Sale of Water Utility System Revenue Bonds for the Purpose of Financing Improvements to the Water Utility System in the Aggregate Principal Amount of Not to Exceed Twenty-Five Million Five Hundred Thousand Dollars (\$25,500,000); and Providing for Related Matters

Councilor Zelenka pulled item E and F.

Councilor Ortiz pulled Item D.

Councilor Brown, seconded by Councilor Poling, moved to approve the items on the Consent Calendar without items D, E, and F. Roll call vote: The motion passed unanimously, 7:0

At the request of Councilor Ortiz, Cindy Clark of the Planning and Development Department reviewed the list of projects being funded through the Neighborhood Matching Grants Program and provided a brief description of the program. Councilors asked questions clarifying the details of the listed projects.

Councilor Brown, seconded by Councilor Poling, moved to approve Item D. Roll call vote: The motion passed unanimously, 7:0

At the request of Councilor Zelenka, Financial Services Manager Cathy Bloom of the Eugene Water & Electric Board explained the purpose for the bonds and the projects the proceeds would be spent on. All projects listed were in the utility's five-year capital plan. Councilor Zelenka said he pulled the item because of the high costs involved. He did not think that such large expenditures should be included on the Consent Calendar because they merited more information and scrutiny.

City Attorney Klein asked the council to take separate action on the items because they regarded bond resolutions.

Councilor Brown, seconded by Councilor Poling, moved to adopt Resolution 5026. Roll call vote: The motion passed unanimously, 7:0

Councilor Brown, seconded by Councilor Poling, moved to adopt Resolution 5027. Roll call vote: The motion passed unanimously, 7:0

**3. ACTION:
Ratification of Unanimous Intergovernmental Relations Committee (IGR) Actions, and Action on Non-Unanimous IGR Actions from March 3 and March 9, 2011**

Ms. Wilson reported on the details of House Bill 3184, which would expand the media in which public notices could be published to include radio, television, and online web sites managed by the Oregon Association of Broadcasters. She recalled that Councilor Taylor had voted against supporting the bill because she was concerned that some local governments could just choose to post legal notices online, leaving their residents without computers lacking important information. Councilor Clark had believed the bill simply expanded the options for local governments.

Councilor Brown, seconded by Councilor Poling, moved to ratify the IGR Committee's vote on House Bill 3184.

Councilor Brown indicated his agreement with Councilor Taylor.

Councilor Clark said he had agreed with the staff recommendation for support because of the cost to the City, the fact the websites being discussed were publicly available, and there were a number of small towns in Oregon without a newspaper. Those communities had no choice of a newspaper.

Responding to a question from Councilor Zelenka, Ms. Wilson reviewed the notice provisions in current law. She said the proposed bill would give public agencies the flexibility to determine the best way to get notice to the public. It did not prevent a community from putting notice in all available media; that was a local decision. She said that the notice in question could be placed on any web site managed by a member of the Oregon Association of Broadcasters, such as television web sites. The City could not host a legal notice on its Web site.

Councilor Zelenka expressed concern about the impact of the bill on the financial status of *The Register-Guard*. He acknowledged more and more people, particularly young people, got their information from the Web. He was somewhat torn, and for that reason would support the committee's recommendation.

Councilor Pryor suggested the bill would increase timely notice to more people. It took away the exclusive rights of newspapers to be the source of such notices. He agreed that increasingly, people turned to the Web for information and the change could give more people information about public events. While he did not want to hurt newspapers, he supported the staff and committee recommendation and believed it was appropriate to consider new technology in such cases and broaden notice to match the new age.

Councilor Poling agreed with the remarks of councilors Zelenka, Clark, and Pryor. He clarified that the committee's 2:1 recommendation was to monitor the bill.

Councilor Ortiz thought the City should look to the future and support the bill. She agreed people got their information in different ways. She wanted the City to continue to provide notice in the local newspaper even if the bill passed.

Councilor Clark, seconded by Councilor Ortiz, moved to substitute the motion with a motion to change the City's position on House Bill 3184 to Priority 3 Support.

Councilor Clark believed the bill spoke to the issue of local control by allowing each community to determine how to give public notice.

Councilor Zelenka believed the manner in which the legislature was structured would eliminate the requirement for newspaper notices. Ms. Wilson concurred that was possible. She did not think it was the intention of the bill's sponsors, however.

Councilor Clark and Councilor Ortiz declined a friendly amendment offered by Councilor Zelenka to support the bill if the bill's title was amended by substituting the following text “. . .and posted on website maintained by state association of stations or broadcasters.”

Councilor Pryor appreciated Councilor Zelenka's remarks. He did not want to cripple newspapers but it was not the council's responsibility to support newspapers, and he hoped that they would be a large part of any communication strategy. The core element for him was flexibility, and he hoped those who

provided notice would recognize that different people use different mediums to get information. He believed good public notice would incorporate newspapers.

Councilor Zelenka believed that jurisdictions would cut notice in newspapers as soon as possible to save money.

Roll call vote: The substitute motion passed, 5:2; councilors Zelenka and Brown voting no.

Roll call vote: The amended motion passed unanimously, 5:2; councilors Zelenka and Brown voting no.

Councilor Brown, seconded by Councilor Poling, moved to ratify the IGR Committee's unanimous actions on bills and approval of staff recommendations in the March 3 and March 9, 2011, IGR Bill Reports for bills not pulled for discussion at those IGR meetings. Roll call vote: The motion passed unanimously, 7:0.

**4. ACTION:
An Ordinance Adopting Hazardous Substance User Fees for the Fiscal Year Commencing July 1, 2011**

Councilor Brown, seconded by Councilor Poling, moved to adopt Council Bill 5044 adopting hazardous substance user fees for the fiscal year commencing July 1, 2011. Roll call vote: The motion passed, 6:1; Councilor Clark voting no.

**3. ACTION:
Appointment to Sustainability Commission**

Councilor Brown, seconded by Councilor Poling, moved to appoint Art Farley to Position 2 on the Sustainability Commission, filling the unexpired term of Mark Nystrom. Roll call vote; the motion passed unanimously, 7:0.

Mayor Piercy adjourned the meeting at 9:56 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)