

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of Council Minutes

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Meeting Date: May 9, 2011  
Department: City Manager's Office  
*www.eugene-or.gov*

Agenda Item Number: 3A  
Staff Contact: Kim Young  
Contact Telephone Number: 541-682-5232

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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 March 9, 2011, Work Session, March 16, 2011, Work Session, April 11, 2011, Work Session, April 11, 2011, Regular Meeting, and April 13, 2011, Work Session.

### ATTACHMENTS

- A. March 9, 2011, Work Session
- B. March 16, 2011, Work Session
- C. April 11, 2011, Work Session
- D. April 11, 2011, Regular Meeting
- E. April 13, 2011, Work Session

### FOR MORE INFORMATION

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MINUTES

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

March 9, 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 March 9, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:  
Envision Eugene**

City Manager Jon Ruiz introduced the topic. He expressed hope that all the council's questions had been answered, and requested that the council move forward with the pillars, strategies, and tactics that resulted from Envision Eugene. He reminded the council that more discussion of the housing mix was still to come.

For the benefit of the public, Mayor Piercy reviewed the Seven Pillars of Envision Eugene:

1. *Provide ample economic opportunities for all community members.*
2. *Provide affordable housing for all income levels.*
3. *Plan for climate change and energy uncertainty.*
4. *Promote compact urban development and efficient transportation options.*
5. *Protect, repair, and enhance neighborhood livability.*
6. *Protect restore and enhance natural resources.*
7. *Provide for adaptable, flexible, and collaborative implementation.*

Mayor Piercy acknowledged all the work done by City Manager Ruiz and his staff.

Mayor Piercy reported the recommendations coming out of the Envision Eugene planning effort called for multi-unit and commercial development needs to be met inside the urban growth boundary (UGB). The recommendations acknowledged the need to be respectful of neighborhood character as the community tried to live more densely. The recommendations called for a limited expansion of the UGB for industrial property. She reported that the advocacy organization 1,000 Friends of Oregon informed her that it believed that represented a modest expansion.

Mr. Poling also thanked the manager and staff as well as the citizens who had been involved in the process. He had initially been somewhat skeptical about the project but had come to believe the project was producing results that all could live with. He believed the project was one of the best the City had done because of the diversity of input.

Ms. Taylor appreciated the work and many hours put in by City staff and the City's volunteers, although that did not mean she agreed with all the results. She continued to oppose any expansion of the UGB but was willing to proceed to the public hearing stage.

Mr. Clark joined in the compliments to City Manager Ruiz, staff, and the volunteers who spent thousands of hours they could have spent on other matters on a process the community could be proud of. He continued to have concerns about some of the recommendations but was willing to move forward to the public hearing stage. Referring to the tactic calling for ten-year adjustments to follow the five-year evaluations of the strategies, Mr. Clark emphasized the importance of monitoring and creating a flexible and adaptable system, and said the City should be prepared to make adjustments when the proposed five-year evaluation occurred.

Ms. Ortiz also thanked staff and the volunteers for their hard work on the process. She had been amazed at the energy and support that people displayed. She was willing to move forward to the public hearing phase of the process.

Mr. Pryor agreed much hard work had been done. He appreciated the council's willingness to try something new because the old approaches did not always get one where one wanted to be. He anticipated adjustments would occur to the recommendations as time went along. He believed the process had produced many payoffs and overall had been very successful. He also supported moving forward to the next phase.

Mr. Zelenka expressed gratitude to the staff and volunteers and to City Manager Ruiz for his leadership. He especially commended the volunteers who served on the Community Resource Group, saying it exemplified what happened when people had a discussion as opposed to shouting across each other. He thought most people could support the Seven Pillars.

Mr. Farr termed the process remarkable and commended the work of City Manager Ruiz, Planning Director Lisa Gardner, and all City staff involved in Envision Eugene. He said the work they had done went beyond his expectations. Mr. Farr recognized members of the Community Resource Group in the audience and asked them to identify themselves with a show of hands. Many people in the audience did so. Mr. Farr thanked them for their work.

Responding to questions from Mr. Brown, Ms. Gardner confirmed that the City's consultant on the technical products would be EcoNorthwest and that those products included both those identified in the strategies as well as amendments to existing planning documents.

Mr. Brown asked when the council would see maps outlining the different scenarios for boundary expansion. Ms. Gardner said staff would look for areas where industrial uses might be located and then identify those areas on maps. That work would occur over the next few months.

Mr. Brown was willing to move the process onto the next stage.

Responding to concerns expressed by Mr. Zelenka about the amount of industrial land reflected in the draft recommendations, Mayor Piercy pointed out that he would have a chance to make adjustments to that number following public review of the recommendations. Mr. Clark expressed hope that Mr. Zelenka had the opportunity to view the presentation prepared by staff on industrial lands, which helped him to understand that number. Mr. Zelenka said he would look at that issue closely and invited public comment on the range. Mayor Piercy concurred.

Ms. Taylor was concerned about staff looking for more industrial land before the council decided more was needed.

Ms. Taylor, seconded by Mr. Brown, moved to accept the Envision Eugene Pillars, Strategies, and Tactics contained in the March 9 Agenda Item Summary as the council's proposal for public review and comment, including another public hearing on April 25. In addition, the City Manager shall schedule a work session with the council in May to discuss the single-family housing need. Finally, the manager shall begin analyzing lands outside the current UGB for industrial land development, and schedule a council work session to review the results of those analyses.

Also in response to Mr. Zelenka's concerns, Ms. Gardner clarified that the City had a parcel size need rather than an acreage need. The parcels to be converted from industrial to commercial were of a small size that did not meet the area's job-related need for larger parcels.

Mr. Clark said the staff presentation included detailed mapping of only the industrial acres available. The presentation indicated that many of the City's development sites were constrained by wetlands and waterways, reducing the usable acreage and suggesting that the City's industrial land inventory did not reflect reality. He believed a more practical analysis of industrial demand could assist the economy.

The motion passed unanimously, 8:0.

**B. WORK SESSION:  
West Eugene EmX**

City Manager Ruiz indicated both City staff and Lane Transit District staff were available to answer questions. Council Coordinator Beth Forrest distributed copies of three documents: 1) *February 8, 2011, Public Hearing and February 24 Eugene City Council Work Session—Responses to Locally Preferred Alternative Decision Makers*, 2) *Technical Report List of Preparers*, and 3) *West Eugene EmX Extension—March 8, 2011—Detailed Listing of Mitigation*. Lane Transit District (LTD) Board of Directors Chair Mike Eyster, General Manager Mark Pangborn, Director of Development Services Tom Schwetz, Director of Service Planning, Accessibility, and Marketing Andy Vobora, and West Eugene EmX Project Manager John Evans were present for the item in the audience.

Mayor Piercy acknowledged differences of opinion among community members regarding the West Eugene EmX route. Her goal continued to be to ensure the metropolitan area had a transit system that supported Envision Eugene and the council's transit goals. She said that policy makers in Washington, DC, were aware of the project, believed EmX was an extraordinary success and model for the country, and were watching the process.

Responding to a question from Mr. Brown as to why the LTD Board of Directors had considered delaying the route decision, Mr. Schwetz indicated that LTD staff had proposed delay as an option to the board after the Joint Locally Preferred Alternative Committee forwarded its recommendations.

Mr. Brown said the council was provided with a staff-prepared suggested motion to direct the manager to inform the LTD board that the council opposed the "no build" option. He said in the past LTD had stated that the "no build" option moved forward with the locally preferred alternative to the environmental review process. The motion did not reflect that. He requested an explanation. City Manager Ruiz said the "no build" option moved forward as part of the National Environmental Policy Act process. The motion was not intended to stop that; it was intended to make a clear statement that the council wanted

LTD to build the system. It was an advisory motion intended for the Metropolitan Policy Committee and LTD Board.

Mr. Brown questioned the need for the motion. He questioned the source of the motion. City Manager Ruiz said the motion was his idea. He reiterated that the motion was strictly advisory. He considered the motion an opportunity for the council to make a clear statement about whether it preferred to build the route to eliminate any public confusion.

Mr. Farr praised the EmX system. He was excited about the prospect of the system serving more areas, particularly the Bethel area. He believed that passage of the first motion was a step in the right direction and looked forward to discussing where the system would go in the future. He regretted that the third phase of EmX had not traveled up Highway 99.

Mr. Poling also regretted that the third phase of EmX had not traveled up Highway 99. He had yet to decide what his vote would be and looked forward to further discussion. Many factors were involved in the decision, including the funding and the system's impact on the community. He said that years ago the community decided on an auto-centric model for West 11<sup>th</sup> Avenue and now the City was trying to fit EmX on the road. He said the decision was a difficult one.

Mr. Zelenka favored a "build" option. The need had been demonstrated and he believed the system was an investment in the future. People needed transportation options in all forms, not just the single-occupancy vehicle, and he believed the route moved the community toward realizing that goal. The system was frequent and reliable and the first phase had been successful. He expected the same success for later phases.

Mr. Pryor believed those for and against the system had made reasonable points but the council had to make a decision. The question was what was best for the community and how the council could accommodate individuals to the degree possible. He was not willing to kill the EmX system. His challenge was to find a way to acknowledge the valid points made by both sides and find a way to accommodate those points and the community's needs. He also had to consider the future, and he believed if the community waited until it needed the system, it would be too late to build it. Mr. Pryor supported the suggested motion but believed more conversation needed to occur.

Ms. Ortiz expressed support for EmX. She agreed with Mr. Pryor that discussion needed to continue. She agreed about the need to consider the long-term future as well. Ms. Ortiz believed that good transit service was a social equity issue for residents without an automobile, who needed transit to get to their place of employment and to shopping hubs.

Mr. Clark expressed support for the EmX system but was concerned about the timing of the extension. He suggested that nothing prevented LTD from applying for federal funds the following year. He noted the federal deficit and expressed concern about the rate at which government was spending money. He suggested that the community would be borrowing from its children to build the extension at a time when it could not afford it. Mr. Clark believed the process had been more contentious than necessary and would like to have seen a process similar to Envision Eugene, which he believed would have allowed the community to move forward together. He indicated his intent to offer the council a motion to postpone discussion about the selection of Preferred Alternative for one year so the community could work out the issues.

Ms. Taylor said she strongly supported transit but did not think that EmX represented the only kind of transit. She believed that all kinds of public transit were needed. She had been happy to see the great bus system that Eugene when she first arrived but it had deteriorated since then. Many destinations in the

community could no longer be reached by bus. Ms. Taylor pointed out that she would have to walk 3-1/2 miles to reach an EmX line and then questioned if it would take her where she wanted to go.

Ms. Taylor was concerned for the businesses affected by the route, for the trees that would be removed because of the route, and for the taxes involved regardless of the source. She suggested the potential the State lottery dollars LTD hoped for could be redirected to education. She was also concerned about operating costs of larger buses and questioned why LTD could not use more small buses. She did not support the suggested motion.

Mayor Piercy observed that LTD looked at 58 different alignments for the West Eugene route. She believed that all residents were concerned about jobs. She said that it cost LTD less to operate an EmX bus than a regular bus, and the EmX vehicle accommodated more people.

Speaking to Mayor Piercy's latter point, Mr. Clark believed that operation of the EmX system would become more, not less, expensive as time went on.

Mr. Clark reiterated his interest in postponing a decision. He believed additional time could allow the City to bring more people together to create a plan with more agreement.

Ms. Ortiz believed that sufficient time had been spent on the project. She would not support any motion to postpone action. She believed the council needed to let the community know where it stood on the project. She did not know what more LTD could do. She believed that LTD staff had worked hard and while LTD could have done some things differently, West Eugene had always been a component of a comprehensive EmX system.

Mr. Brown believed there were several unfortunate things about the proposal, such as not giving the Transportation System Management (TSM) option a chance to succeed and not involving business owners and residents in the process from the beginning. He believed the suggested motion was unnecessary. He believed the LTD board could live with additional uncertainty.

Mr. Pryor acknowledged the future was unknown, but if the council anticipated changes over the next 20 years in West Eugene, it had to discuss what changes the City needed to make to accommodate them. He could not envision a future without mass transit. The City Council also needed to think about fiscal prudence and what actually would work. Since the council had eliminated the West Eugene Parkway as an option, it must do something in West Eugene, and merely accommodating cars was not the best solution. He wanted to keep the conversation going, and believed the first suggested motion accommodated that desire.

Mr. Zelenka agreed with Mr. Pryor that the project was about the future. He envisioned dramatic changes over the next 20 years and said the community needed to prepare for them. He spoke of the difficulty that the community of San Jose, California, experienced when trying to install its light rail system because it did not have the foresight to plan for the system earlier.

Mr. Zelenka believed that LTD had been responsive to the businesses along the proposed routes. He had requested information about the proposed mitigations and found there were 70 instances in which LTD had changed its plans in response to community concerns.

Mr. Farr concurred with the remarks of Mr. Pryor. He observed that the issue had created controversy in his own household and no matter the council's decision, people would be dissatisfied.

Ms. Taylor, seconded by Mr. Brown, moved to support LTD's construction of EmX in West Eugene and to direct the city manager to inform the LTD Board of Directors that the council is opposed to the "no-build" option.

Mr. Clark, seconded by Mr. Poling, moved to amend the motion to read "To support LTD's construction of EmX in West Eugene and to direct the city manager to inform the LTD Board of Directors that the council is ready with the proceed with the discussion one year from today."

While Mr. Clark believed that EmX was a good system, he also believed there was no critical need for action. He suggested that community divisiveness over the issue argued for delay. He advocated for a decision-making process that addressed the public's concerns so the City and LTD would be able to move forward with much broader community support.

The vote on the amendment was a 4:4 tie; Ms. Taylor, Mr. Poling, Mr. Clark, and Mr. Brown voting yes, and Mr. Zelenka, Ms. Ortiz, Mr. Farr, and Mr. Pryor voting no. Mayor Piercy cast a vote in opposition to the amendment, which failed on a final vote of 5:4.

Responding to a request for clarification from Mr. Clark regarding his opinion of the letter received by the council from attorney Nathan Reitmann, City Attorney Glenn Klein explained Section 41 of the City Charter did not apply in this instance. The suggested motion did not authorize road construction. In addition, the project in question was an LTD project, not a City project. Even if it LTD proposed to construct a throughway, Section 41 did not limit what LTD did. He pointed out that West 11<sup>th</sup> Avenue was in place already and no throughway was planned, although there may be some additional limited access on the road. The City limited access to its streets all the time. City Attorney Klein offered to provide more information in written form.

The vote on the motion was a 4:4 tie; Mr. Zelenka, Ms. Ortiz, Mr. Farr, and Mr. Pryor voting yes; Ms. Taylor, Mr. Poling, Mr. Clark, and Mr. Brown voting no. Mayor Piercy cast a vote in support of the motion, which passed on a 5:4 vote.

Ms. Taylor, seconded by Mr. Brown, moved to select the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> Avenue route as the City Council's preferred route for West Eugene EmX.

Mr. Poling indicated that as a member of LTD's EmX Steering Committee, he had supported the 11<sup>th</sup>/13<sup>th</sup> route but had come to believe the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option was preferable. However, because the "no build" option had been eliminated, he could not support the motion.

Mr. Zelenka preferred the 11<sup>th</sup>/13<sup>th</sup> Avenue route. He believed that the order in which the routes were constructed was important and that the council needed to consider the fiscal implications of the issue. He said that the 11<sup>th</sup>/13<sup>th</sup> route was cheaper to construct, cost less to operate, and was supported by the majority of groups that LTD consulted. He also believed that constructing the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option first placed the 11<sup>th</sup>/13<sup>th</sup> route in jeopardy.

Mr. Clark expressed support for the motion.

Ms. Ortiz, seconded by Mr. Zelenka, moved to substitute the motion with a motion that directed the City Manager to request that LTD undertake additional analysis of both the 13<sup>th</sup>/11<sup>th</sup> and the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> routes, and that upon completion of that analysis, the council select its preferred alternative.

Ms. Ortiz agreed with Mr. Zelenka about the merits of the 11<sup>th</sup>/13<sup>th</sup> option. While she had initially supported the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option because of her interest in seeing the route go down Highway 99, she was not attached to either option.

Mr. Pryor said he liked the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option because of the residential ridership potential that existed in the Whiteaker neighborhood and the route's potential for commercial ridership. He acknowledged that the 11<sup>th</sup>/13<sup>th</sup> option could be cheaper and faster but the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option might better help the City achieve its goals. He said that forwarding two options kept uncertainty alive, but he believed it would facilitate the type of conversation he would like to have.

Mr. Farr indicated he opposed the substitute motion because it increased the cost of serving Bethel in the future. He also believed it was better to narrow the options in order to narrow the issues of contention.

Mr. Brown did not support the substitute motion. He was ready to make a decision.

Ms. Taylor did not support the substitute motion. She did not think there was any point in LTD doing more analysis.

With the consent of her second, Mr. Zelenka, Ms. Ortiz withdrew her motion.

Mr. Poling said he supported the 6<sup>th</sup>/7<sup>th</sup>/11<sup>th</sup> option and would support the motion.

The motion passed unanimously, 8:0.

Mayor Piercy adjourned the work session at 1:18 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 16, 2011  
Noon

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

**COUNCILORS ABSENT:** Betty Taylor.

Her Honor Mayor Kitty Piercy called the March 16, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:  
City Hall**

City Manager Jon Ruiz introduced the item. He reminded the council of past discussions of a new city hall and said staff had prepared a fiscally responsible way to move forward on the project. Motions reflecting the staff recommendations related to the item were included in the council Agenda Item Summary (AIS).

Central Services Department Director Kristi Hammitt thanked Mr. Otto Poticha and the students of the 2010 University of Oregon Department of Architecture 2010 Fall Design Studio, who had shared their work about city hall with the council prior to the work session.

Ms. Hammitt said past discussions about a new city hall had resulted in proposals for projects that were too large in scope and too costly to afford. She proposed that the City pursue what she termed a “small series of solutions” toward achieving its objective. The approach would allow the City to move forward with a phased project funded by money already set aside to address deficiencies in the existing City Hall.

Facilities Design & Construction Manager Mike Penwell noted the relocation of public safety functions from City Hall to seismically safer facilities, which made planning for the relocation of other employees working in City Hall more feasible. In addition, the Eugene Water & Electric Board (EWEB) planned to discontinue the provision of steam heat to the facility, spurring the need for action.

Speaking to suggestions that the current EWEB administrative facility could serve as a new city hall, Mr. Penwell said the purchase, while less expensive than constructing a new city hall, was still too expensive and staff believed the current location of City Hall was more appropriate. The City already owned the site and a full-block site could be redeveloped incrementally. He requested council direction.

Mayor Piercy expressed appreciation for the proposed approach. She believed it was doable. She felt a responsibility toward the City employees who work in City Hall and to visitors to the facility because of

the area's susceptibility to seismic events. The cessation of steam power was another incentive. She solicited councilors' questions and comments.

Responding to questions from Mr. Poling, Mr. Penwell said that EWEB planned to stop steam service in June 2012; the cost of converting the boilers in City Hall was about \$500,000; and the cost of a full building renovation was \$30 million to \$50 million.

Mr. Poling supported a phased approach. It demonstrated that the council was being a good steward of public funds. The proposal also helped the City meet its commitment to leased downtown space. He favored a new city hall that was attractive, economical, and efficient to use and wanted the City to consolidate as many functions as possible in the new facility. Due to the staff analysis, he did not think it would be wise to pursue the EWEB option. He believed that the EWEB site could be redeveloped into something more useful to the community.

Mr. Brown also favored the existing site. He did not support the EWEB site because it was outside of downtown and difficult to access. While he liked the idea of renovating the existing building, he supported the staff recommendation. Mr. Brown asked the square footage requirements of the departments that moved out, if they could all be accommodated in the Bennett project, what departments would move back to the new building, their space requirements, and the size of the new city hall. City Manager Ruiz indicated staff would provide that information when planning commenced.

Responding to a question from Mr. Brown, Mr. Poticha estimated the design studio proposals for renovating City Hall would cost \$30 million to \$40 million to construct. Mr. Penwell said soft costs would add an additional 35 percent.

Mr. Brown determined from Ms. Hammitt that \$6 million remained in the Facility Reserve, and staff proposed to return with a financing plan that identified other one-time funding sources.

Mr. Brown asked about the potential of federal grants for seismic retrofitting of City Hall or construction of a new facility. Mr. Penwell said the City watched out for such opportunities. The City had received one such grant to seismically retrofit a fire station and had applied for another grant to help with the costs of retrofitting the new police headquarters.

Mr. Clark thanked staff for its hard work and good analysis. He recognized he did not have adequate council support for acquisition of the EWEB site, but based on his conversations with residents and the EWEB commissioners, he believed there was more community support for the site than councilors realized. He did not think the City should give up on the option.

Mr. Pryor did not think the EWEB site was a bad idea and might have been a great idea at another time. He thought the current site was simply better. He emphasized the importance of certainty that there would be a new city hall to ensure staff did not remain in temporary space forever. He also wanted to have more conversation about the vision produced by the design studio. Mr. Pryor thought that the full square block on which City Hall was now located, already owned by the City, was the most viable option. He wanted to see the best city hall that was reasonable and prudent built on the site.

Ms. Ortiz appreciated Mr. Poticha's presentation but she was not supportive of a renovated City Hall. She pointed out that things change and past approaches to office space had been discarded in favor of greener spaces that lent themselves to employee collaboration. She was excited about the possibility of a new building that allowed City employees from different services to work together.

Mr. Farr acknowledged the resource that the University of Oregon and its students were to the community, and he thanked the design studio students.

Mr. Farr supported the manager's recommendation. He agreed with Mr. Clark that the EWEB site was viable. It had adequate meeting space and could serve the entire community, in contrast to City Hall.

Mayor Piercy hoped the City used construction materials that could be maintained to look nice given the challenge of maintaining the existing City Hall façade. She also hoped to capture some of the architectural features of the existing building in a new city hall.

Mr. Zelenka joined the meeting via speakerphone. He indicated support for the City Manager's recommendation.

Mayor Piercy suggested the construction of a new city hall could provide other federal grant opportunities and hoped that staff worked with the City's lobbying firm to identify those.

Speaking to the question of phasing, Mr. Poling suggested that the courts, Council Chamber, and City Manager's Office should be the first functions moved out of City Hall and the first functions returned to a new facility. He wanted the City to have accessible, easy-to-find facilities.

Mr. Clark observed that several councilors had expressed liking for the EWEB site. Ms. Ortiz preferred to see the EWEB site redeveloped with housing, commercial development, and some public open space along the river. She wanted to see the site generate some tax revenue. Mayor Piercy said she liked the EWEB site and wanted it to remain in its current use because of its accessibility to the public.

Mr. Zelenka did not support the EWEB site.

Mr. Brown, seconded by Mr. Poling, moved to direct the City Manager to develop and implement a transition plan for moving all remaining City services out of City Hall by June 30, 2012, and to develop a phased approach to building a new city hall at the current site using existing resources. The motion passed, 6:1; Mr. Clark voting no.

Mr. Brown, seconded by Mr. Poling, moved to direct the City Manager to return with a funding plan for the project. The motion passed unanimously, 7:0.

**B. WORK SESSION:  
Civic Stadium**

Assistant City Manager Sarah Medary was present for the item. She reminded the council of 4J School District's intent to dispose of Civic Stadium. The district had issued a request for proposals (RFP) that had three responses. She reviewed the responses, which included a proposal from Save Civic Stadium to preserve the grandstand and redevelop the site into a multi-purpose sports venue; a proposal from the Eugene YMCA to redevelop the site for a new YMCA facility and off-campus student housing; and a proposal from Master Development, LLC and Powell Development Company to redevelop the site as mixed-use development that included stores, restaurants, and apartments. A district staff committee had reviewed and ranked the proposals; the highest ranked proposal was for a mixed-use proposal that included an anchor store. The school board of directors would review the proposals later in the day, with a decision anticipated in May 2011.

Mayor Piercy recalled that the City had attempted to become involved in the discussion of the ultimate fate of Civic Stadium earlier without success. She was very sympathetic to the funding needs of the district, which hoped to sell the property, but also hoped to satisfy the community's desires and sought some convergence of the two.

Mr. Brown said he was horrified and heartsick at the idea of Civic Stadium being torn down, particularly because the community had already lost so much of its architectural heritage. He reported that the Friendly Area Neighbors had voted, with one abstention, to direct the City to purchase the property and lease it to the Save Civic Stadium and perhaps the YMCA. The residents in the neighborhood around the stadium overwhelmingly desired its preservation.

Mr. Brown said he had reviewed park acreage for each ward and found that Ward 1 had the lowest amount of park space by a significant factor. He believed that Civic Stadium could make up that lack.

Mr. Clark also supported the preservation of Civic Stadium. He said the issue was not just about money but about community as well. However, he believed that challenging economic times meant the council needed to consider cost. He asked Mr. Brown what would happen after the committee proposed in his suggested motion was formed. He posited that the outcome could be a plan that required City funding. Mr. Clark pointed out that the council had referred a ballot measure establishing an income tax for schools to the voters, and he feared they would perceive the income tax as a means to buy the stadium.

Ms. Ortiz honored Civic Stadium for what it was but questioned "what dogs we have in the fight" since the City lacked the money to purchase it or maintain it. She said the school district needed the money that the property would realize and she did not want to stand in the way of that.

Speaking to Mr. Brown's remarks about parkland, Ms. Ortiz said it would be interesting to see how parkland acreage could be made equitable across wards.

Responding to a question from Mayor Piercy, City Attorney Glenn Klein said the City did not have the right of first refusal for Civic Stadium.

Mr. Poling observed that when one deducted metropolitan parks from the total, that left only 68 acres of parks in Ward 4.

Mr. Poling agreed with Mr. Clark and Ms. Ortiz. He thought that City interference in the district's business at this point would be counter-productive. He suggested that any subcommittee formed should include representatives of all respondents to the RFP. He thought all three responses represented good proposals and the board would make the best decision, taking into account factors other than money.

Mr. Zelenka suggested the issue was about the City's heritage and history. He believed Civic Stadium was valuable to the community and he did not like any of the options that eliminated the stadium. He preferred that the City buy the site using public funds and donations and invite the YMCA and Save Civic Stadium to collaborate on a redevelopment plan. He supported Mr. Brown's proposed motion, pointing out that it did not commit the City to anything.

Mr. Farr believed the council needed to consider the future and what it left behind. He did not want to see Civic Stadium demolished. He did not think the City was interfering unduly because the Envision Eugene process encompassed issues such as transportation and zoning. He determined from Assistant City Manager Medary that the stadium property was zoned Public Land and was not included in the City's inventory of commercial lands. Mr. Farr thought it incumbent for the City Council to weigh in on

the disposition of the property and ensure that whatever happened fit into the vision represented by Envision Eugene.

Mr. Pryor believed that the district and City had common interests but there was also an issue of authority. The council did not have authority over the stadium property. The council could express interest in the disposition of the property but could not tell the school district what to do with it. He urged a thoughtful approach based on what the council believed what the long-term goal for the property should be. While he was willing to discuss that topic with the board, he would stop short of trying to exercise any authoritative role.

Mr. Pryor pointed out to Mr. Brown that geographically, Ward 1 was much smaller than Ward 8, but had 76 acres of parks in the neighborhood and community category while Ward 8 had 29 acres of such parks.

Mr. Brown acknowledged the City had no legal authority but he believed it had moral authority. He cited a strategy under the Pillar 5 of the Envision Eugene process, "Protect, Repair, and Enhance Neighborhood Livability," which read "Recognize the value that that historic properties contribute to community character and livability, and work to preserve those properties." He said the statement reflected the intent of his proposed motion. Mr. Brown believed the stadium was a "gem." He reiterated that the motion did not commit the City to the purchase or lease of the stadium and did not tell the district what to do. However, he did not think the district wanted to act against the will of the community. Mr. Brown said the outcome of the proposed process was not a given as there were many interests involved. He wanted to preserve the stadium for future generations.

Mr. Clark questioned the fairness of the proposed process to those who responded to the RFP. He said he could support a reworded motion that established a council committee to look at all the potential options. He suggested one option might be a trade of the City-owned golf course for the stadium.

Mr. Farr pointed out the City had a form of authority in the matter in that it had to approve any zone change from Public Land to facilitate commercial development on the site. He supported the motion Mr. Brown had prepared and hoped other councilors would support a reworded motion that eliminated concerns about the authority issue. He wanted any site redevelopment to occur deliberately.

Ms. Ortiz said she was willing to support the motion if the district reopened the RFP process. Otherwise, she did not think such a process would be fair to those who responded to the RFP on time. If the district was not willing to do so, she feared the process would be a waste of staff time. She agreed with Mr. Poling about the composition of the proposed committee.

Mr. Zelenka supported everything that had been said in support of Mr. Brown's proposal. He did not perceive the motion as usurping the district's authority but said he could support a reworded motion that would garner more council support. He offered to participate on any committee formed to develop a counterproposal to the proposals that did not preserve the stadium.

Mr. Pryor appreciated Mr. Farr's remarks about the City's authority over zoning. He also believed that Ms. Ortiz raised good points. He would be concerned if the committee process interfered with the board's decision-making process, and suggested that the motion be restated as a request to the district. He supported City involvement in the question of the disposition of the property but preferred that occurred in collaboration with the district. He was reluctant to create a committee now without knowing more about how it fit into the district's process.

Mr. Brown believed that the district would welcome the City's input, particularly after the City Council had proposed a school income tax. He did not think the district would see the motion as hostile. Speaking to the composition of the committee, Mr. Brown preferred that it include people who wanted to save the stadium.

Mr. Brown believed the City should use funds from the Parks and Open Space Bond to purchase the property. He acknowledged there was no money to operate or maintain the facility.

Mr. Brown said that times were tight but they were also tight in 1938 when the community came together to construct Civic Stadium. He believed that the community could come together again in support of the stadium but not if the stadium was demolished.

Mr. Clark said 4J had a process that people went through in good faith. He was not comfortable asking the district and the other two respondents to the RFP to abandon that process and embark on a new one. He said perhaps a council committee could add wisdom to the decision on behalf of the community.

Ms. Ortiz indicated she could support allowing Mr. Brown to ask the board about its willingness to participate in such a process. If the board was not willing to do so, she thought the council needed to let the matter drop.

Mr. Brown, seconded by Mr. Farr, moved that the City Council, recognizing the value that historic properties contribute to community character and livability, and being aware of the needs of 4J school district, request the mayor to form a subcommittee to explore a possible public/private/nonprofit collaboration for the repair and repurposing of Civic Stadium and the redevelopment of the rest of the site. The subcommittee should include, but not be limited to, members of the Save Civic Stadium group, one or more city councilors, 4J board members and/or 4J staff.

Mr. Brown and Mr. Farr accepted a suggestion from City Attorney Glenn Klein to reword the beginning of the motion as follows:

I move that the City Manager ask 4J whether 4J would be willing to accept input from the City Council on use of the Civic Stadium site. If 4J indicates a willingness to accept such input, the mayor was requested to appoint a committee to develop a recommendation for the council regarding possible input to 4J.

Mr. Brown and Mr. Farr accepted a friendly amendment from Mr. Zelenka to add a representative from the YMCA to the committee.

Mr. Poling indicated he would be unable support the motion because the City was asking the district to change the rules in the middle of the process. He believed that the composition of the proposed committee meant that its recommendations were predestined and that did not represent a true public process.

Mr. Brown and Mr. Farr accepted a friendly amendment from Mr. Poling to include Master Development LLC and Powell Development Company as members of the committee.

Mr. Farr hoped that everyone came to the committee process with an open mind.

Responding to a question from Mr. Clark about the intent of the motion, Mr. Brown said he was not trying to short-circuit the district process. He said the issue was one of timing; the council had missed its window of opportunity to respond to the RFP because of its work on the school income tax.

Mr. Pryor was able to support the motion because of the preamble proposed by City Attorney Klein.

City Attorney Klein reviewed the rephrased motion:

Mr. Brown, seconded by Mr. Farr, moved that the City Manager ask 4J whether 4J would be willing to accept input from the City Council on use of the Civic Stadium site. If 4J indicates a willingness to accept such input, the mayor was requested to appoint a committee to develop a recommendation for the council regarding input to 4J. The committee should include but was not limited to members of the Save Civic Stadium group, one or more city councilors, the YMCA, Master Development LLC, Powell Development LLC, 4J board members, and/or 4J staff. The council recognizes the value that historic properties contribute to community character and livability and is aware of the needs of the 4J School District. The committee would explore a possible public/private/nonprofit collaboration for the repair and repurposing of Civic Stadium and the redevelopment of the rest of the site.

Mr. Clark indicated he was unable to support the motion because its intent was to save the stadium, which precluded other proposals and changed the process.

The motion passed, 5:2; Mr. Clark and Mr. Poling voting no.

Mayor Piercy adjourned the work session at 1:21 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

April 11, 2011  
5:30 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 April 11, 2011, work session of the Eugene City Council to order.

**A. ITEMS AND COMMITTEE REPORTS:**

**Human Rights Commission, Travel Lane County, Human Services Commission, Lane Council of Governments, Metropolitan Policy Committee, Public Safety Coordinating Council, Sustainability Commission, Lane Workforce Partnership**

Mayor Piercy reported on the Arbor Day Celebration held on April 9. She said that West University area residents and City staff, as well as members of Alpha Beta Psi, the Eugene Tree Foundation, NeighborWoods, and University of Oregon students participating in the Student Day of Service in Campus Neighborhoods took part in the event. Trees were planted at West University Park and other neighborhood locations. Mayor Piercy had accepted the City's 31<sup>st</sup> consecutive Tree City USA award from Western Lane District Forester Dave Lorenz of the Oregon Department of Forestry.

Mayor Piercy reported that she testified on rail at the legislature the previous week and had attended a meeting of the Oregon Department of Transportation's Flexible Funding Committee meeting. She also attended the ground breaking for the new Bennett building downtown.

Mayor Piercy and Mr. Poling had attended the opening of "Camas Country Mill," a former grass seed farm that was now raising winter red berry wheat for milling. She said the company's approach fit into the City's food security planning.

Mayor Piercy said that a student delegation from Eugene's Sister City Kakegawa recently visited Eugene.

Mayor Piercy noted the upcoming ceremony for awarding of the French Legion of Honor to resident Edgar Peara on April 14 at 2 p.m. at City Hall. The French government considered Mr. Peara symbolic of the valor of all American troops in France during World War II.

Mayor Piercy concluded her report by clarifying for the benefit of the public that the City Council had not decided to raze City Hall at its March 16 work session, but rather decided to examine several options with the goal of staying on the present site.

Mayor Piercy called on the council for committee reports and other items of interest.

Mr. Farr reported that the Human Rights Commission was going through some changes in the way it addressed its charge and the actual charge itself. He noted the scheduled May 18 annual meeting between the Human Rights Commission and City Council. He said that over the last few years, the HRC had completed the Human Rights City Framework training as well as other trainings. He reminded the council of the City Manager's summary of the commission's accomplishments, distributed earlier that day. Mr. Farr reported that the City Manager had proposed a series of listening sessions to further refine the commission's role. He believed the Triple Bottom Line (TBL) was a key component of that evaluation and said the commission took the social equity element of the TBL very seriously. Mr. Farr reported that the commission would soon have six vacancies, and three commissioners had applied for reappointment. He reminded the council of the HRC's council liaison system and circulated the assignments.

Mr. Farr said he had attended and enjoyed the farewell event for the Kakegawa delegation.

Mr. Poling referred to Camas Country Mill and said the biggest hurdle the company faced in opening was the City's permitting process. The owners recommended the City establish a business ombudsman for new businesses going through the permitting process for the first time, and he asked City Manager Jon Ruiz to consider designating someone in the Planning Division to work with representatives of such businesses.

Mr. Poling reported that Travel Lane County had adopted a non-partisan endorsement process for travel-related issues at the local, state, and federal level. A supermajority of the board of directors must approve any endorsements. A referral form had been developed for those requesting that Travel Lane County take a position on an issue.

Mayor Piercy asked Mr. Poling to share with Travel Lane County that there was a danger the annual Truffle Festival could move to another community due to a lack of local capacity. Mr. Poling agreed.

Ms. Ortiz reported on the work of the Human Services Commission (HSC). She said the HSC was concerned about the City's reallocation of funding to CAHOOTS because of the ramifications of that action on agencies being funded through the HSC. The HSC was also discussing a possible community benefit fee and its concerns about the funding outlook, including the commission's inability to fund Centro LatinoAmericano, which was controversial for some.

Mayor Piercy, also a member of the HSC, added that the amount of federal funding that the HSC depended on was unsettled. It was possible a local summit might be scheduled to discuss the overall funding structure and the impacts of less funding.

Ms. Ortiz reported on the work of the Public Safety Coordinating Council (PSCC), saying it was having a similar discussion about funding shortages. The PSCC had also discussed the subject of Disproportionate Minority Contact.

Ms. Ortiz said the Lane Regional Air Protection Agency (LRAPA) held its first budget committee meeting on March 28. The Budget Committee had discussed employee pension contributions and declined to recommend the restoration of the amount previously contributed to pensions to the board of directors, which was desired by employees. She observed that this would be the third year that LRAPA had not received an increase in its contribution from member organizations. She said that committee members were pleased with the air quality report and the quality of the work the agency did in general.

Ms. Ortiz had attended a joint meeting of the Santa Clara and River Road neighborhood organizations and heard a presentation on their Strategic Neighborhood Assessment and Planning (SNAP) grant, which appeared to be a “go.” Lane County commissioners Jay Bozievich and Rob Handy had also been in attendance. Ms. Ortiz reported that she also attended a Lane Transit District outreach event at Plaza Latina targeted at the Hispanic community to discuss the West Eugene EmX route.

Ms. Ortiz noted the recent retirement of Ron Chase of Sponsors and bid him farewell and good luck. She also wished good luck to his successor, Paul Solomon.

Ms. Ortiz concluded her report by noting that the Cascade Medical Team was holding a clinic on April 14 from 9 a.m. to 5 p.m. at 1162 Willamette Street on April 14 for those without access to insurance or medical care.

Mr. Pryor distributed his report on the Lane Council of Governments (LCOG) Board of Directors meeting and highlighted LCOG’s work on improving communications both to the public and its members. LCOG was contemplating an approach based on the United Front concept dubbed the Regional Voice to represent the jurisdictions in Lane County before the State Legislature. That work was proceeding in a deliberate way because of the differing interests and views of the many jurisdictions involved. He suggested that the Regional Voice could serve as a clearinghouse for information as well. Mr. Pryor said the board also discussed the potential impact of federal budget reductions on Senior and Disabled Services, which served a very vulnerable population.

Mr. Pryor had participated in an event greeting the Kakegawa student delegation and said he was impressed with how bright the students were. He had also attended Project Homeless Connect, which was very successful and broke all past records in terms of the number of attendees and volunteers.

Mr. Zelenka reported that the Sustainability Commission was currently focused on examination of the West Eugene EmX route and the Seven Pillars of Envision Eugene. The Sustainability Commission had joined with the Planning Commission to form the Comprehensive Land Use and Transportation Advisory Committee, and that group had also reviewed the West Eugene EmX project. The commission would hold its annual work planning retreat soon.

Mr. Zelenka said the Metropolitan Planning Committee (MPC) was also reviewing the West Eugene EmX project. The MPC held a public hearing on the issue on April 5 and would meet on April 14 to vote on the final route option. Mr. Zelenka said that the committee had two new Lane County commissioners, Sid Leiken and Jay Bozievich. Hillary Wylie of Springfield was the new chair of the MPC. He said the MPC had an active citizen advisory committee that would have some openings soon. The MPC had approved the renaming of the I-5 Bridge to the Whilamut Passage. In addition, the MPC had commenced its periodic review of local transportation planning efforts, which would take about 1-1/2 years to complete.

Mr. Zelenka reported that the Target Rule Making Advisory Committee, of which he was a member, had forwarded a target for greenhouse gas reduction to each Oregon metropolitan planning organization.

Mr. Zelenka concluded his report by announcing that the Riverstone Community Health Center in Springfield was having its groundbreaking ceremony on April 22 from 10 a.m. to noon.

Ms. Taylor reported that she had welcomed the regional meeting of the Zonta Club on behalf of Mayor Piercy and had learned about the many good things the organization did for women. She had learned that human trafficking was also a local problem and recommended the book “Renting Lacey.”

Ms. Taylor had attended the retirement party for Ron Chase of Sponsors and commended the many things he had done for the community.

Ms. Taylor reported on the work of Lane Workforce Partnership, saying that the organization had relocated to 2510 Oakmont Way. The partnership was collaborating with Lane Community College, the State Employment Office, the Job Corps, and Lane Independent Living Alliance. The partnership was ready to help its clients with a variety of things, such as résumé writing and job searches. She found the facility welcoming and its employees eager to help and commended the fact that the partnership was focused on getting people ready for the jobs of the future. Ms. Taylor said the partnership also had youth internships and offered job retraining and skills assistance.

Ms. Taylor said she and Mayor Piercy attended the opening of the Jazz Station, a cooperatively operated jazz performance venue run by the Willamette Jazz Society.

City Manager Jon Ruiz reported he would make his annual budget presentation on April 27.

City Manager Ruiz encouraged residents to review the most recent edition of the Eugene Area Chamber of Commerce's *Open for Business* magazine, which was about arts and business. He noted that the magazine mentioned [www.eugeneagogo.com](http://www.eugeneagogo.com), a new web site dedicated to listings of community events sponsored by the Lane Arts Alliance.

Mr. Clark reported that he had lobbied in Salem on behalf of the City's bill to create alcohol impact areas.

Mr. Clark said he continued to work with Mr. Poling on the issue of dividing the Cal Young neighborhood organization. He had been unable to attend the joint meeting of the River Road and Santa Clara neighborhood organizations but had worked with the two groups on ideas for the SNAP grant. Mr. Clark had attended the Eugene Area Chamber of Commerce's Regional Prosperity Initiative on April 1 as well as the groundbreaking for the downtown Bennett project.

Mr. Clark announced that the House and Senate Committees on Redistricting would hold a public hearing on legislative and congressional redistricting in Eugene at 10 a.m. on April 16 at the Knight Library at the University of Oregon.

Mr. Clark concluded his report by saying he had also attended a town hall meeting held in the Santa Clara area by Senator Chris Edwards and representatives Nancy Nathanson and Val Hoyle.

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

The council was joined by Human Resources Director Alana Holmes and Performance and Development Manager Denise Smith. Ms. Holmes noted the distribution of an amended Attachment C, *First Amendment to Employment Agreement*.

Ms. Smith called the council's attention to the revised *City Manager Proposed Performance Review Ratings* (Attachment A) and *City Manager Performance Review Compensation Adjustment* (Attachment B). Councilors asked questions clarifying the information reflected in the attachments and voiced general support for the work done by staff.

Ms. Taylor, seconded by Mr. Brown, moved to approve the ratings definition in Attachment A, the compensation amendment to the City Manager's contract in Attachment B, and direct the Council President to sign the amendment to the City Manager's contract, attached as Attachment C.

Ms. Taylor believed the City was paying the manager enough money to expect excellent work, which should not automatically result in a raise that was larger than the cost of living.

The motion passed unanimously, 8:0.

Ms. Smith referred to the options prepared by staff for evaluations of the Police Auditor reflected on page 8 of the meeting packet. She noted the current six-step structure now in place for the Police Auditor's compensation as well as for other executives' compensation. The council agreed to use the same ratings definition for the Police Auditor as it used for the City Manager, but to retain the six-step structure for the Police Auditor.

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

April 11, 2011  
 7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the April 11, 2011, regular meeting of the Eugene City Council to order.

## 1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum. She opened the forum.

**Mike Cetto**, 1521 Copping Street, suggested that Eugene had reached a size that justified permit parking as a way to reduce greenhouse gas emissions. He advocated for better air quality in Eugene and increased air quality monitoring at street level, particularly around the downtown Lane Transit District station. He also called for Lane Transit District to burn cleaner fuels. He noted the temperature inversions experienced locally, which exacerbated pollution problems.

**Andrew Fisher**, PO Box 5003, Eugene, Chair of the City's Historic Review Board (HRB), recommended that the City explore the option of renovating City Hall. He noted the HRB's interest in promoting the preservation of local Modern-era buildings such as City Hall. He expressed concern about the potential that City Hall could be demolished and called on the council to create a forum that allowed the HRB to participate in any discussions about the future of City Hall. Historic preservation was not an obstacle to development but could inform and guide development. Mr. Fisher said that the cost of renovation might be prohibitive but he believed the possibility should be examined.

**Eugene Drix**, 307-1/2 East 14<sup>th</sup> Avenue, suggested there was not much difference between "there" and "here." He was with the council "here," as were the people watching at home, who were also "there." He said people all want to get "there," but when they get "there," "it's here." He said he sought new ways to meet the future, which would be "here" soon. Drix recalled the recent Arbor Day Celebration in the West University Neighborhood and said the neighborhood had created a beautiful "there." He suggested "it was how we all look at the there" that was how "we are all together." He said a new City Hall would be "here" when it was done. It would be "our forum" and he hoped "we would all be here." He said that "here" and "there" were actually the same, and the more people realized that, the more connected they would be and able to realize future visions.

**Moshe Immerman**, 2990-1/2 Washington Street, requested that the council ask the Lane Regional Air Protection Agency (LRAPA) to report back about the costs of monitoring air-borne radiation locally. He also requested that the council write a letter to President Barack Obama, the Oregon congressional

delegation, and the nation's science advisors to ask them to begin phasing out nuclear power. Mr. Immerman was particularly interested in seeing the commercial component of the Price-Anderson Act eliminated. He urged the council to investigate the act, which largely indemnified the nuclear industry from damages and placed the burden on the taxpayer. He also maintained that the media was not reporting "near-misses" in the commercial nuclear industry, and monitoring had been cut by Congress because of shut downs caused by "extreme near-miss events." Mr. Immerman called for a realistic examination of the seismic risk to nuclear facilities. He provided information regarding the Price-Anderson Act to the council.

**Elizabeth Remeni**, 3441 Storey Boulevard, said the majority of homeowners had opposed the Crest Drive street improvement project without success. She understood that as a result of recent code changes, the City was no longer going to charge citizens to pay for improvements to individual streets. She asked that the property owners affected by the project be relieved of those costs, which were averaging \$10,000 to \$13,000 per property.

Mayor Piercy closed the Public Forum and thanked those who spoke. In response to Mr. Fisher's testimony, Mayor Piercy said the council had not yet made a decision to raze the building. The council had determined that either renovation or construction would occur on the existing City Hall site. She endorsed the idea of involving the HRB in the decision, and suggested the City could also consult with the University of Oregon's Department of Allied Arts and Architecture.

Mayor Piercy called on the council for comments.

Speaking to Ms. Remeni's testimony, Councilor Taylor said it was not true that people would have to pay street assessments. The City Council had revised the ordinance governing street assessments somewhat but the charter did not allow its action to be retroactive. She said from now on, residents living on dead end streets and cul-de-sacs adjacent to a street improvement project would have to share in the costs.

## **2. CONSENT CALENDAR**

- A. Approval of City Council Minutes**
  - **January 26, 2011, Work Session**
  - **February 8, 2011, Joint Elected Officials Meeting**
  - **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**
  - **March 14, 2011, Regular Meeting**
- B. Approval of Tentative Working Agenda**
- C. Ratification of Intergovernmental Relations Committee Minutes of March 31, 2011**
- D. Timeline for City Council Employee Performance Reviews for 2011**

Councilor Taylor, seconded by Councilor Brown, moved to approve the items on the Consent Calendar.

Councilor Poling pulled Item B.

Roll call vote: The motion to approve the Consent Calendar without Item B passed unanimously, 8:0

Responding to a question from Councilor Poling about the timing of a work session on the City's gas tax, City Manager Jon Ruiz indicated he would provide a date soon.

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

**3. PUBLIC HEARING:  
An Ordinance Concerning Low-Income Property Tax Exemptions and Amending Sections 2.916, 2.920, 2.938, 2.939, and 2.940 of the Eugene Code**

City Manager Ruiz introduced the item, saying that the proposed ordinance would extend both of Eugene's low-income housing property tax exemption programs by ten years. He recalled that the council adopted both programs in 1990 to facilitate development of affordable housing for low-income residents. The proposed ordinance included a provision that allowed recipients to reapply for the 20-year low-income rental housing property exemption after the initial 20-year period had expired; as in the past, a separate council action would be required for the actual exemption. Becky Wheeler, Community Development Division, was also present for the item.

Mayor Piercy opened the public hearing.

**Richard Herman**, 275 West 8<sup>th</sup> Avenue, Executive Director of Metropolitan Affordable Housing (Metro), thanked the City Council for its support for affordable housing and emphasized the importance of low-income housing, particularly to residents with special needs. He reported that Metro would soon break ground on Willakenzie Crossing, an affordable housing development with 40 units of low-income family housing and 16 units dedicated to those with developmental disabilities that was constructed on a property landbanked by the City. Mr. Herman supported the proposed ordinance and said that such property tax exemptions were critical in the construction of such developments and in keeping rents affordable.

Mayor Piercy closed the public hearing.

Councilor Pryor, a member of the Housing Policy Board, emphasized the importance of local community support for affordable housing projects to help secure funding.

Councilor Ortiz commended the programs involved and the foresight of earlier councils that adopted policies that ensured such housing was dispersed around the community rather than concentrated in a single area.

Councilor Poling asked Ms. Wheeler to provide the council with written information about the number of properties coming to the end of their exemption periods, the number of properties exempted, and the total amount of property taxes exempted.

**4. PUBLIC HEARING:**

**An Ordinance Concerning a Four-Year Income Tax for Schools; Adding Sections 2.2000 to 2.2038 to the Eugene Code, 1971; and Providing a Sunset Date**

City Manager Ruiz introduced the item. He said action on the ordinance, which established an income tax for schools, was scheduled for April 25, 2011. He reminded the council that the ordinance would only become effective if the voters approved Ballot Measure 21-82 in a May 2011 election.

Mayor Piercy opened the public hearing.

**Roxie Cuellar**, PO Box 668, Yachats, Campaign Manager for the organization Citizens for Jobs and Schools, expressed concern that the provisions laid out in Section 2.2006 of the ordinance would be complex to implement because there was no easy way for employers to know which employees were City residents subject to the tax. She referred to Section 2.2012 and suggested that it should be revised with the addition of criteria governing the basis on which City staff would determine a person was subject to the tax. She suggested the City consider requiring the mailing of tax form along with the instructions. She also found the sunset clause to be ambiguous.

**Mark Callahan**, 3621 Mahlon Avenue, opposed the ordinance because it would require only a majority vote of the council, rather than voter approval, to modify the ordinance. He was concerned that by proposing the ordinance additions, the council was “putting the cart before the horse” given the vote on the proposed tax was a month away and was a highly contested issue. Mr. Callahan concluded by quoting Article 8, Section 8, Subsection 1 of the Oregon Constitution, which spoke to the requirement that the Oregon State Legislature, not the City of Eugene, provide adequate and equitable funding for the educational system.

**Larry Lewin**, 2145 Lincoln Street, discussed the growth in class room size he had experienced throughout his teaching career in Eugene. He emphasized the importance of smaller class sizes to learning. He was concerned about the children in the city’s districts, particularly his two grandchildren. One would soon enter kindergarten, and he was concerned about her class size as it affected her ability to learn. His grandson was in fifth grade and would soon experience another furlough day. He said such days were a concern that would be addressed by the proposed income tax.

**Sarah Case**, 2525 Charnelton Street, thanked the council for referring Ballot Measure 21-82 to the May ballot. She addressed the issue of constitutionality raised by Mr. Callahan, saying a local option levy funded 20 percent of school operations, so the community was already supplementing State funding. Ms. Case said many parents were concerned by the potential loss of valued programs, larger classes, and teacher layoffs. Such factors made it difficult for children to thrive. Ms. Case commended those who put forth the measure and said the number of people who supported the measure was growing.

**Ian McNeely**, 2288 Potter Street, also thanked the council and voiced support for the ordinance. He provided some history of “how we got here,” which he attributed to the “meltdown on Wall Street” and the State’s tax structure, which did not produce sufficient funding and left the State disproportionately dependent on the income tax. The problem was not caused locally but no one from outside the community was going to help. He acknowledged that the measure was not perfect as class sizes would still be too large and the school year too short. However, passage of the measure would keep the schools going and demonstrate what the community was “all about.”

**Carey Hancock**, 2660 Spring Boulevard, spoke in support of Ballot Measure 21-82. She said she had to hire math tutors for her children because of large class sizes they experienced in Eugene schools. She had

paid more in one month to the tutor than most people would pay in taxes in one year if the tax passed. She emphasized the importance of adequately funding for public schools to economic development. She said as a business owner, it was not a burden to her to determine if her employees lived in Eugene. She strongly supported the measure.

**Hillary Johnson**, 2865 Emerald Street, Strong Schools Eugene Campaign Chair, expressed support for the proposed school income tax and thanked the council for referring a measure to the voters. She emphasized that such a tax had been employed in Multnomah County and it was not a new concept. She reviewed some of the reductions that would occur if the measure did not pass.

**Lisa Fragala**, 30 Ash Street, thanked the council for its leadership in referring Ballot Measure 21-82 to the voters. She was a second-grade teacher in the 4J district who believed the measure was desperately needed. She said class size made a significant difference. She noted the many roles she already played as a teacher and anticipated she could also be a physical education and music teacher next year. Ms. Fragala said the measure was about strong schools and community jobs. She suggested the Oregon unemployment rate would look better if educators were not taking such a “hard hit.” She believed the community supported the ballot measure.

**Kate McCarthy**, 2243 Kincaid Street, supported Ballot Measure 21-82. She said that strong schools were vital to the health of the community and to business recruitment. Good schools were beneficial to all residents, even if one did not have children in the schools or sent their children to private schools. She feared that additional reductions could impel more people to send their children to private school, which would further deteriorate the schools and the community.

**Keith Eddins**, 1970 Columbia Street, Treasurer of Strong Schools Eugene, spoke in support of Measure 21-82, which would help his daughter and all Eugene school children deal with the impact of the continuing failure of the State to fund education. He believed opponents to the measure were offering hypothetical and hyperbolic arguments against it. For example, the opponents had suggesting the tax was not temporary because the council could extend the tax at any time because it was adopted through an ordinance. He pointed out that Portland had ended its tax, which was also adopted through ordinance. The opponents also suggested the State would fix the funding problem but the State had no money to do so. He did not want to wait for the State to act because he did not think it would.

**Kirsten Haugin**, 1436 East 22<sup>nd</sup> Avenue, thanked the council for putting the measure on the ballot and the City staff for its hard work putting the measure together. She supported Ballot Measure 21-82 because schools were the cornerstone of a strong community. She said local schools were “on the brink” because of a continual lack of funding. Teachers did what they could to overcome the lack of funding. Ms. Haugin believed people needed to get past the idea that if they had money in their pocket it was good for them; sometimes it was better to give money to the community. She feared that if the measure did not pass, schools with the ability to fund raise would succeed while other schools would fail, leaving some behind, and more parents would send their children to private schools. Ms. Haugin was concerned about what happened to the community when the schools were not strong enough to serve as its “bedrock.”

Mayor Piercy closed the public hearing.

Councilor Zelenka thanked those who spoke and emphasized his support for the income tax for schools. He acknowledged that school funding was a State responsibility but the State had “failed us” and “enough was enough.” He believed the positive impacts of the tax were clear and its cost was modest. The income tax would be temporary and would sunset in four years. He believed the tax was also good for the economy.

Responding to a question from Councilor Clark about the points made by Ms. Cuellar in regard to Section 2.2012, City Attorney Glenn Klein indicated that ordinance included a definition of “residence” and there would be administrative rules that governed the ordinance’s implementation. Those rules were subject to public comment, and if there was a dispute about a residency, there would be an appeals process. Councilor Clark asked when the administrative rules would be prepared. City Attorney Klein anticipated the rules would be developed over the next two to three months when more was known about what entity would administer the tax. Councilor Clark asked about progress in that regard. Finance Manager Sue Cutsogeorge said staff had met with City of Portland staff to discuss the potential of Portland administering the tax. Councilor Clark asked how much that would cost. Ms. Cutsogeorge did not yet know. Councilor Clark asked if the costs of administration would be known before the election. Ms. Cutsogeorge did not think so.

Councilor Clark referred to Section 2.006 of the ordinance, which spoke to the issue of residency. He asked if the City would compel Eugene employers to determine the residency of its employees and if there would be a reporting function for those employers. City Attorney Klein indicated that no decision had been made in that regard. Staff had discussed a structure that would enable voluntary withholding on the part of an employer if an employee wished for it. Councilor Clark asked if it would be mandatory for an employer to provide that option. City Attorney Klein did not know. He requested council direction in that regard. Councilor Clark did not support the idea.

Councilor Poling observed that Section 3 of the ordinance called for the ordinance to be sunsetted, but a future council could vote to extend it. City Attorney Klein concurred. The council could change the ordinance and the voters could refer that decision. Councilor Poling recommended that the council amend the ordinance to stipulate the sunset could not be extended without the vote of the community. Mr. Klein pointed out a future council could amend the ordinance to eliminate that provision. He concurred with a statement from Councilor Poling that there was no way to stop a future council from extending the tax in the absence of a charter amendment.

Councilor Brown asserted that the concern about a future council extending the ordinance was a “fake issue.” A council majority could have already imposed an income tax for the schools without a vote. Instead, the council decided to refer the measure due to its importance. Councilor Brown guaranteed that no future council would extend the ordinance without a vote. He suggested that to do so would be to commit political suicide.

Councilor Taylor agreed that the tax would be a temporary one. The voters would decide. She said a democracy depended on educated citizens, and she did not think Eugene students were getting a good education. She emphasized the importance of small class sizes to a good education and optimum teaching. Larger class sizes did not work. She thought it was crucial to address that issue in particular. She agreed that the jobs involved were also important. Better employers would not want to locate in Eugene without a good education system.

Councilor Farr agreed with testimony suggesting that Oregon was overly dependent on the income tax. He said that the income tax added to volatility and funding uncertainty. He suggested a sales tax would have more of a lasting effect. He did not believe that an income tax proposal would fix the school funding problem. He determined from Ms. Cutsogeorge that Portland was willing to administer the tax.

Councilor Zelenka determined from Ms. Cutsogeorge that she did not anticipate that the costs of administering the tax would be much greater than previous estimates.

Councilor Zelenka asked that ordinance be amended to include a provision that the sunset would not be removed from the ordinance without a public vote. He also asked the City Attorney to examine the sunset clause to ensure that it was four years and there was no ambiguity about the time period involved. He acknowledged that the council's actions could not bind future councils.

Councilor Zelenka believed that mandatory withholding was a good idea.

Councilor Clark emphasized that the ordinance before the council was not a charter amendment. It was an ordinance that could be amended or changed at any time by any council at any time no matter. City Attorney Klein concurred. A future council could change any part of the ordinance even if it had a sunset ordinance that attempted to preclude that action.

Councilor Zelenka wanted to make it as politically difficult as possible for a future council to change the ordinance and thought his suggested revision would accomplish that.

Councilor Ortiz acknowledged the council could not bind the actions of future councils. While she would have preferred the tax be in place for a longer time period to better solve the school funding problem, Councilor Ortiz was comfortable with the ordinance as drafted.

Mayor Piercy acknowledged that the proposed ballot measure would not fix the school funding problem. The ordinance was an attempt to mitigate local reductions while the State worked through the funding issue. She supported both the ordinance and the State's efforts.

City Attorney Klein indicated he would prepare amendments to the ordinance reflecting the input of councilors Clark and Zelenka, and asked that requests for additional changes be provided to him before the council took action.

Councilor Farr recalled his past service on the council and noted that many of that council's actions had been changed.

**5. ACTION:  
Ratification of Unanimous IGR Actions and Action on Non-Unanimous IGR Actions from  
March 16, 2011**

Intergovernmental Relations Director Brenda Wilson was present for the item. The council discussed the bills that had not received unanimous support from the Council Committee on Intergovernmental Relations (CCIGR). Ms. Wilson noted the first bill of concern, Senate Bill 845, had died and would not receive further consideration by the State legislature.

***House Bill 3167***

Ms. Wilson reviewed the bill, which would eliminate the discount for partial or full payment of property taxes on or before November 15. She said had the bill already been in place, the City would have received an additional \$2.5 million in property taxes in fiscal year 2010. She reported that City staff had recommended that the City take a Priority 1, Support position on the bill, and a committee majority instead took a Priority 3, Oppose position on the bill.

Councilors asked questions clarifying the details of the bill.

Councilor Clark supported the committee recommendation but he acknowledged why staff supported the legislation in question. It was reasonable to seek mechanisms that allowed the City to realize more money without raising property tax rates. It seemed like an easy fix, but Councilor Clark considered it a back-door tax increase. The bill changed the rules in the middle of the game and affected the timing of how people paid their taxes. The proposed change took away the discount for people who paid their property taxes early and eliminated their ability to save a little money in return for paying in a timely way upfront.

Councilor Zelenka asked the purpose of the discount. Ms. Wilson responded that the original policy purpose of the discount was to provide government entities, particularly smaller cities, with cash flow, by giving residents an incentive to pay their taxes early. She did not think the original legislation was intended to provide a benefit for citizens.

Councilor Zelenka supported the proposed legislation because of the funding shortfall faced by State and local government.

Councilor Clark pointed out that local government would have gotten more money if the discount was not in force but local taxpayers would have had to pay that much more.

Councilor Pryor believed there were arguments in support of both sides. He said that the discount for early cash payment of property taxes had been in force for a long time and Oregon residents were used to it. However, given the relatively small amounts involved for most people and the shortfalls faced by State and local government, he was willing to support the bill.

Councilor Farr determined from Ms. Wilson that there was no corresponding senate bill. The bill had been put forward by the House Interim Revenue Committee chaired by Representative Phil Barnhart and had enjoyed a hearing. Ms. Wilson believed that the co-chairs of the committee both favored the concept. Because the bill was a Revenue Committee bill, it was not subject to the same deadlines as other bills.

City Manager Ruiz indicated that the legislation was a significant funding issue for the City. He pointed out that the bill merely asked people to pay their taxes. He expressed cautious optimistic about the City's budget but said there was still some financial uncertainty that lay ahead. He recommended the council support the original staff position of Priority 1, Support.

Councilor Taylor believed if the law was changed no one would pay their property taxes early. She determined that Ms. Wilson that there was still benefit to early payment, and the bill was drafted to change the payment dates for property taxes to make half the tax bill due on November 15 and the other half due on May 15. Governments would be receiving half of the taxes owed rather than a third.

Speaking to the remarks of Councilor Pryor, Councilor Taylor observed that even small amounts were challenging for some residents to afford.

Councilor Farr agreed a few dollars could mean a lot to some residents. However, he favored the legislation because of the original intent behind the discount.

Councilor Taylor, seconded by Councilor Poling, moved to support the CCIGR position of Priority 3, Oppose on House Bill 3167. The motion failed, 5:3; councilors Taylor, Poling, and Clark voting yes.

Mayor Piercy polled the council on its support for the staff recommendation of Priority 1, Support on House Bill 3167. By a vote of 6:2, with councilors Poling and Clark indicating opposition, the council supported the staff recommendation.

Councilor Taylor, seconded by Councilor Brown, moved to ratify the Council Committee on Intergovernmental Relations' (CCIGR) unanimous actions on bills and approval of staff recommendations in the March 16, 2011, IGR Bill Reports for bills not pulled for discussion at CCIGR meetings. Roll call vote; the motion passed unanimously, 8:0.

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

**6. ACTION:  
Adoption of Resolution 1059, Authorizing Tax Increment Bonds for Projects Described in the Downtown Urban Renewal District Plan**

City Manager Ruiz reported the resolution provided authorization for the Urban Renewal Agency to borrow money to fulfill a commitment to Lane Community College to provide it with an \$8 million grant for its downtown campus project. The resolution also allowed the agency to refinance the parking bonds currently being paid from tax increment funds to achieve interest savings. The resolution provided the agency director with the ability to make pledges that restricted future policy choices for the downtown district. The restrictions were consistent with current council direction regarding project funding.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Resolution 1059, authorizing tax increment bonds for projects described in the Downtown Urban Renewal District Plan. Roll call vote; the motion passed unanimously, 8:0.

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

**7. ACTION:  
Approval of Minutes, Findings, and Recommendations from the Hearings Official and Adoption of an Ordinance Levying Assessments for Paving and Constructing Curbs, Sidewalks, Medians, Street Lights, Stormwater Drainage, and Water Quality Facilities on Crest Drive from Blanton Road to Lincoln Street, Storey Boulevard from Crest Drive to Lorane Highway and Friendly Street from Lorane Highway to 28<sup>th</sup> Avenue; and providing an Immediate Effective Date (Contract 2009-30) (Job #4546)**

Public Works Director Kurt Corey and City Engineer Mark Schoening were present for the item.

Councilor Taylor, seconded by Councilor Brown, moved to (a) direct the City Manager to bring back to the council an amendment to Resolution 4281 that would use as an additional qualifier for the street subsidy program for the Crest Drive Assessments a person's income on April 11, 2011, to determine annual income, instead of using 2010 income; and (b) postpone action on the assessment ordinance until after the council approves the amendment to the resolution, property owners have an opportunity to apply for the subsidy, and the ordinance is revised to reflect any new subsidy approvals.

Councilor Clark determined from City Attorney Klein that the motion would apply only to the Crest Drive assessment. City Attorney Klein did not think the motion established a legal precedent for any other assessment project.

Councilor Taylor wished the motion could set a precedent. She said that many of those affected by the project had no jobs or health insurance because of the recession, and she thought the City should take those factors into account.

Councilor Poling determined from Mr. Schoening that the City had already passed ordinances levying the assessments for the Maple-Elmira and Chad Drive projects. Councilor Poling asked if passage of the motion would require the assessment to be calculated. Mr. Schoening said yes. The project would increase in cost because of the additional people who qualified for the subsidy, the additional effort required to amend the resolution, and the cost of borrowing. Councilor Poling recalled that the process was several years old at this point. Mr. Schoening concurred.

Responding to a question from Councilor Zelenka, City Attorney Klein indicated the two parts of the motion were interconnected in that the City Council could not adopt the ordinance until it determined who qualified for the subsidy. He anticipated that it would be two to four months before the council could act on the ordinance. Councilor Zelenka determined from Mr. Schoening the cost of delay was \$1,300 monthly, which would be divided between the City and the assessments.

Councilor Zelenka conceded the action would cost some money but he believed it would also provide a benefit to Eugene residents who had lost their jobs because of the recession.

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

Mayor Piercy adjourned the meeting at 9:25 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

April 13, 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 April 13, 2011, work session of the Eugene City Council to order.

- A. **ACTION:**  
**Adoption of an Ordinance Concerning Low-Income Housing Property Tax Exemption and Amending Sections 2.916, 2.920, 2.939, and 2.940 of the Eugene Code, 1971**  
  
**Adoption of Resolution 5028 Adopting Amended Standards and Guidelines for Processing Low-Income Rental Housing Property Tax Exemption Applications**

City Manager Jon Ruiz reminded the council that it held a public hearing on the item on April 11.

Ms. Taylor, seconded by Mr. Brown, moved to adopt an ordinance concerning low-income property tax exemptions and amending sections 2.916, 2.920, 2.939, and 2.940 of the Eugene Code, 1971. The motion passed unanimously, 8:0.

Ms. Taylor, seconded by Mr. Brown, moved to adopt Resolution 5028 adopting amended standards and guidelines for processing low-income housing property tax exemption provision. The motion passed unanimously, 8:0.

- B. **WORK SESSION:**  
**Civic Stadium**

City Manager Ruiz and Assistant City Manager Sarah Medary were present for the item.

Mayor Piercy reported on the work of the Civic Stadium Committee, a committee charged by the council to explore a possible public/private/nonprofit collaboration for the repair/repurposing of Civic Stadium and redevelopment of the stadium site. The committee met on April 8 and brought together the respondents to 4J School District’s Request for Proposals (RFP) for the redevelopment of the Civic Stadium site (Save Civic Stadium, Master Development LLC, and the YMCA), Mr. Zelenka, Mr. Brown, and members of the Friendly Area Neighbors. Those present discussed the proposals and ideas for combining them. Representatives of the YMCA and Masters Development indicated they were willing to have further discussions to talk if the City was willing to supply funding.

Mr. Clark determined from Mr. Brown that the presentation the council was about to see originated with Mr. Brown, Mr. Zelenka, and the Save Civic Stadium (SCS) organization. Mr. Brown said the other two respondents to the RFP declined to propose further ideas.

Mr. Clark recalled that at the time the council voted to form the committee, he stated it was inappropriate for the council to weigh in on the side of one proposal and short-circuit the school district process. Mr. Zelenka said that neither he nor Mr. Brown nor the mayor intended to short-circuit the process. They had asked the district if it would be willing to hear from the City and the district had agreed as long as the City remained within the process timeframe, which was extended to June 1. The district indicated that any proposal could be revised until the last minute. Mr. Zelenka said the committee meeting was an attempt to find out if the other respondents were willing to revise their proposals and join in with the City of Eugene; only SCS was willing to do so.

Mr. Clark summarized the presentation as Mr. Brown and Mr. Zelenka's recommendation on how the City could intervene on the side of SCS and revise its proposal. Mr. Zelenka concurred.

In response to process concerns expressed by Mr. Poling and Mr. Clark, Mr. Zelenka said the council was not being asked to make any decisions at this time. He was asking it to hear the preliminary proposal, discuss it, and consider the City's participation.

Mr. Brown and Mr. Zelenka then provided a PowerPoint presentation entitled "Reinventing Civic Stadium" that posited a scenario by which the stadium was preserved as a sports complex and community gathering place that supported a professional soccer team. Under "Plan A" the City acted as the property leaser/owner, financial guarantor, development facilitator, and facility manager/event programmer; under "Plan B" the City purchased the site from the school district using money from the Parks and Open Space Bond.

Tim Holt, President of the United Soccer Leagues (USL), joined the council via speakerphone. He discussed the history of the USL, the number of leagues the USL operated and their locations, and his conviction a professional soccer team could be successfully located in Eugene. He answered councilors' questions about the USL and the logistics and timing of locating a soccer team in Eugene. Mayor Piercy thanked Mr. Holt for his input.

Mayor Piercy solicited council comments and questions.

Ms. Taylor supported the proposal, which she termed amazing work. She thanked Mr. Zelenka and Mr. Brown. She believed the City would be performing a big service to the community if it could realize the proposal.

Mr. Clark understood that the YMCA did not want to participate in the proposal, but its participation was mentioned in the presentation as a possibility. Mr. Zelenka said he and Mr. Brown had met with Dave Perez of the YMCA and learned that Mr. Perez wished to continue on with the YMCA's response to the RFP. If the district was to select the SCS proposal, there would be sufficient space left on the property to give the YMCA the right of first refusal.

Mr. Clark asked what specific role Mr. Zelenka and Mr. Brown envisioned for the City. He also asked how the use of park bonds affected the development of the Santa Clara community park. Mr. Zelenka acknowledged many details remained to be worked out about the City's role. He said the funding would be taken from the money set aside to purchase neighborhood parks. The expenditure would not affect the development of the Santa Clara community park.

Responding to a question from Mr. Clark about possible investors in the nonprofit organization that would operate the soccer team, Mr. Zelenka said there was some interest on the part of the Jacqua family, in particular Nate Jacqua, who played soccer professionally for the Seattle Sounders, as well as on the part of other local investors.

Mr. Clark expressed appreciation for the work done by Mr. Zelenka and Mr. Brown. He continued to be concerned that the proposal short-circuited the legitimacy of the district's process. Mr. Clark was also concerned about the impact of the proposal on the community's commercial land supply, specifically on the commercial acreage near the core, in light of the City's identified need for an additional 400 acres of such land.

Mr. Brown reminded the council that the Civic Stadium property was purchased with the intent that it be used in perpetuity for recreation. He acknowledged that the courts had ruled the district could determine the property's future. He did not think there was anything in the proposal that precluded some commercial development on the site.

Ms. Ortiz asked if staff time would be required to move forward with the proposal. Mr. Zelenka did not think the time involved was significant. City Manager Ruiz added the time spent would depend on the level of detail requested by the council. He wanted staff analysis of the financial impact of the proposal on the City before the district made its decision.

In light of the manager's remarks, Ms. Ortiz expressed concern about spending time and money on an effort that was unforeseen and unbudgeted. She wanted to know the cost of the process so she could share it with constituents when asked. City Manager Ruiz agreed to return with information about what it would require for the City to move forward with the proposal. Ms. Ortiz said she was willing to let the process continue for the sake of the work that had been done and because of community interest.

Mr. Farr believed the community could support a soccer team, but suggested that issue was tangential to the decision before the council. He said the district would decide the fate of the stadium and he did not think it was the council's place to weigh in on the decision.

Mr. Poling agreed with Mr. Farr. If the council was to move forward, he wanted to see full presentations from the other RFP respondents. Mr. Poling pointed out that the community had been discussing the future of Civic Stadium for years and all the parties involved had plenty of opportunity to get their ideas and financing in place. He thanked Mr. Zelenka and Mr. Brown for the work they had done.

Mayor Piercy thought the proposal needed to have the support of the City for the district to be able to take it seriously. She believed that required the council to signal support to the district for some type of public investment. Failure to act would also convey a message.

Mr. Clark said the fate of Civic Stadium was important to the community and he recalled his own unsuccessful efforts to preserve the stadium. However, he was concerned that the City's late-hour action could have negative and unintended consequences that could result in no development at all. He asked City Manager Ruiz to identify any potential negative consequences that resulted from City support of the proposal in his follow-up work.

Mr. Zelenka emphasized that he and Mr. Brown proposed to work within the existing process and timeline. He did not believe the other proposals would be lost. He suggested a public hearing be scheduled on April 25. He asked for council support to proceed.

Mr. Pryor agreed with Mr. Farr. He appreciated Mr. Zelenka's remarks that the City's involvement would not impede the process or timeline and the manager's remarks about the need to know the impact of that involvement. He was cautiously interested but did not want the other proposals to suffer from the City's involvement.

Mr. Brown said he initially requested a work session on the topic in December 2010 with the expressed goal of trying to save Civic Stadium. Since then SCS' planning for the stadium had moved forward, although not all things were in place. They needed more time to complete a plan that made sense and could be accepted by the district. Mr. Brown requested another work session on the subject.

Mayor Piercy polled the council for its willingness to hold another work session on the issue subject and to sponsor a town hall.

City Manager Ruiz recommended any work session be scheduled in May. He reminded the council that the staff currently working on the budget and the school income tax was also the staff that would be asked to provide analysis of the Civic Stadium issue.

Ms. Ortiz emphasized the importance of ensuring that funding was available for the Santa Clara community park.

Ms. Taylor said Civic Stadium was publicly owned and many citizens wished to preserve it, which was paramount to her. The council should be looking out for their long-term interests. She saw nothing wrong with hindering a process she considered wrong.

Mr. Clark reiterated his position in regard to the Santa Clara community park, reminding the council that it had promised Santa Clara residents such a park in 1998. He also questioned the impact of the issue on the council's timeline for completion of the Envision Eugene process, recalling that initially it was scheduled to be completed in February 2011.

Mayor Piercy assured Mr. Clark that work sessions were scheduled for Envision Eugene.

Mr. Farr, Ms. Ortiz, Ms. Taylor, and Mr. Pryor did not object to holding another work session and a town hall.

Mr. Clark objected to a work session unless he could see a scope of work first.

Mr. Poling also objected to an additional work session. He expressed concern about the impact of the proposal on staff. Mr. Poling believed that any additional work session should include a presentation on the proposals of all three respondents so the council could do side-by-side comparisons.

Ms. Ortiz supported Mr. Poling's request. Mr. Zelenka concurred. Ms. Taylor objected to the request.

Mr. Zelenka indicated support for a scope of work, which he envisioned would include an evaluation of the *pro forma* and business plan and better definition of the City's role. He reiterated his earlier point about the source of City funding that would underwrite the proposal, saying it would not be taken from the money intended for the community park.

Mr. Brown saw no point in hearing from the other RFP respondents both because the council was familiar with them and because neither preserved the stadium, which was the point of his efforts. However, he did not object to short presentations.

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

Respectfully submitted,

Beth Forrest  
City Recorder

*(Recorded by Kimberly Young)*