

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Interim Appointment to Toxics Board

Meeting Date: February 13, 2012
Department: Fire & EMS
www.eugene-or.gov

Agenda Item Number: 2D
Staff Contact: Jo Eppli
Contact Telephone Number: 541-682-7118

ISSUE STATEMENT

Due to a mid-term resignation, Position 3 (an industry position) is currently vacant on the City's Toxics Board. The term for this position will expire on June 30, 2012.

BACKGROUND

The Eugene Toxics Right-to-Know Program was created and adopted by citizen initiative in November in 1996, and is governed by Section 54 of the Eugene City Charter. It requires that businesses meeting certain criteria report their hazardous substance use to the City, that the City make that information public, and that hazardous substance users pay fees as necessary to operate the program.

The City Council appoints a board of seven people to oversee the program, provide policy direction, and serve as an advisory board: three members are employed by or are agents of businesses required to report; three members have a demonstrable record of advocating for the public's right-to-know; and one member is neutral.

The recruitment process to fill the vacancy of Position 3 on the Toxics Board was initiated early last November, and concluded on November 30, 2011. The City received two applications for this position, and the Toxics Board interviewed both applicants on January 11, 2012. The City Council interviewed only Richard Nicol on January 30, 2012, as the other applicant asked to be eliminated as a candidate. Since being interviewed, Richard Nicol has received seven votes from the City Council in favor of his appointment to Position 3 on the Toxics Board.

RELATED CITY POLICIES

The Eugene Toxics Right-to-Know Program relates to the following Eugene City Council Goals and Outcomes: Safe Community; Sustainable Development; and Effective, Accountable Municipal Government.

The Toxics Board provides policy direction on the Eugene Toxics Right-to-Know Program, and serves as an advisory board to the City Council, working under the Eugene City Charter Section 54 (Amendment IV).

COUNCIL OPTIONS

1. Appoint Richard Nicol to Position 3 on the Toxics Board.
2. Decide not to appoint Richard Nicol to Position 3, and provide other direction.

CITY MANAGER'S RECOMMENDATION

The City Manager and the Toxics Board recommend the appointment of Richard Nicol to Position 3 on the Toxics Board.

SUGGESTED MOTION

Move to appoint Richard Nicol to Position 3 on the Toxics Board for the unexpired term of Diana Bollenbaugh, ending June 30, 2012.

ATTACHMENTS

- A. Application of Richard Nicol
- B. Current Toxics Board Roster

FOR MORE INFORMATION

Staff Contact: Jo Eppli
Telephone: 541-682-7118
Staff E-Mail: joann.c.eppli@ci.eugene.or.us



Interested Applicants

Interested Applicants
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Toxics Board

Name	Richard J. Nicol	Evening Phone	541-686-0280	Day Phone	541-461-2600
Address	1610 Cal Young Road Eugene OR 97401	Do You Live within the City Limits?	Y	If so how long?	64 Years
Occupation	President	Ward	5	Neighborhood	Cal Young Neighborhood
Business Address	110 North Seneca Eugene OR 97402	Employer	Western Pneumatics Inc.		
Optional Information		Fax	541-461-2606	E-Mail	rickn@westernp.com
Gender	M	Age	66+	Ethnicity	White/European American
Additional Languages spoken	English	How did you learn of this vacancy?	Word of Mouth		
Education / Training	Education: BS degree in Business from the University of Oregon, 1966. Myself or my family has owned and operated businesses in and around Eugene since 1947	Disability	N	Description	English
Community Service / Volunteer	Little League Coach, Kidsports Six Years	Job Experience	President, Western Pneumatics Inc., President Nicol Wood Products, General Manager Cascade Handle Co., Plant Manager, Westfir Plywood Mill, Beer Truck driver Salesmen while attending the University of Oregon		
	Personal Experience		Owned and operated a business in and around Eugene for over 50 years		



Interested Applicants

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Personal Interest

Involved in the University of Oregon, specifically the Athletic Program, interested in topics and issues relating to business and manufacturing, specifically in Eugene

Contribution

Would like the opportunity to explain issues and offer opinions from a business viewpoint; would like to be involved in policy making as it applies to business today



Interested Applicants

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2 Please explain your understanding of Eugene's right-to-know law.

Some familiarity. Mostly with local laws, as a manufacturer subject to reporting. Right-to-know law was enacted in 1996 requiring local manufacturers to report to the public any use and disposition of federally listed hazardous substances.

3 How would you work to make decisions as a board member given that there may be persons on the board whose views are in direct opposition to yours? do you have any experience doing this? Please explain.

Would hope to bring insight from an manufacturing point of view so that all aspects of an issue can be reviewed and a decision made based on those aspects.

4 Please describe your experience in the formation of or implementation of public policy and regulations.

No experience in the public sector, only in the private sector as a business owner for over 50 years

5 Why did you apply for the Toxics Board, and what do you hope to contribute?

Would like to be directly involved in policy making as it effects our business, and would like to have input as it pertains to rules and regulations effecting manufacturers in the City of Eugene.

6 FOR INDUSTRY REPRESENTATIVE ONLY:

Is the company that you represent required to report under Eugene's Toxics Right -to-Know law?

Yes

7 FOR INDUSTRY REPRESENTATIVES ONLY:

Please discuss your role and responsibilities in the business you represent/

President for 30 years involved in all day to day business decisions including Toxic Right to Know Laws

8 FOR RIGHT-TO-KNOW ADVOCATES ONLY:

Please describe your experience advocating for the public's right to know.

Right-to know law was enacted in 1996 requiring local manufacturers to report to the public any use and disposition of federally listed hazardous substances.

9 FOR RIGHT TO KNOW ADVOCATES ONLY:

Please describe your familiarity with chemical substances and processes used in manufacturing.

Some familiarity, mostly with local laws, as a manufacturer subject to reporting.

EUGENE TOXICS BOARD ROSTER

<u>MEMBER</u>	<u>MAILING ADDRESS</u>	<u>CONTACT NO.</u>	<u>E-MAIL ADDRESS</u>
Position 1 (Industry):	Lanz Cabinet Shop, Inc		
Tom Carmicheal¹	3025 W 7 th Place	541-228-1310	tom@lanzcabinets.com
First Term	Eugene, OR 97402		
Expires 06-30-13			
Position 2 (Industry):	Willamette Valley Co		
Sheena Gardner	660 McKinley Street	541-484-9621	10sheenag@wilvaco.com
First Term	Eugene, OR 97402		
Expires 06-30-14			
Position 3 (Industry):			
Vacant			
First Term			
Expires 06-30-12			
Position 4 (Advocacy):			
Christine Zeller-Powell	3960 Hilyard Street	541-554-5035	cezeller@hotmail.com
First Term	Eugene, OR 97405		
Expires 06-30-13			
Position 5 (Advocacy):			
Alison Guzman	3355 Loma Linda Drive	541-525-8582	aguzman@oregontoxics.org
First Term	Eugene, OR 97405		
Expires 06-30-14			
Position 6 (Advocacy):			
Randy Prince²	PO Box 927	541-345-3306	randyprince24@hotmail.com
First Term	Eugene, OR 97440		
Expires 06-30-12			
Position 7 (Neutral):			
Stephen Flanagan	3405 Storey Boulevard	541-688-3155	bonmot.srf@gmail.com
Second Term	Eugene, OR 97405		
Expires 06-30-14			
Program Staff:	Eugene Fire & EMS		
Jo Eppli	1705 W 2 nd Avenue	541-682-7118	joann.c.eppli@ci.eugene.or.us
	Eugene, OR 97402		

Chair Rotates on July 1st each year

¹ Vice Chair: July 1, 2011–June 30, 2012

² Chair: July 1, 2011–June 30, 2012