

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

Meeting Date: September 10, 2012
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Kris Bloch
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the June 27, 2012, Work Session, July 9, 2012, Work Session, July 9, 2012, Regular Meeting, July 18, 2012, Work Session, July 23, 2012, Work Session, July 23, 2012, Regular Meeting, and July 25, 2012, Work Session.

ATTACHMENTS

- A. June 27, 2012, Work Session
- B. July 9, 2012, Work Session
- C. July 9, 2012, Regular Meeting
- D. July 18, 2012, Work Session
- E. July 23, 2012, Work Session
- F. July 23, 2012, Regular Meeting
- G. July 25, 2012, Work Session

FOR MORE INFORMATION

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MINUTES

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

June 27, 2012
12:00 p.m.

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

COUNCILORS ABSENT: Andrea Ortiz, George Poling

Her Honor Mayor Kitty Piercy called the June 27, 2012, work session of the Eugene City Council to order.

Downtown Summer Programs Update

Community Events Manager Billie Moser described upcoming downtown summer programs such as Summer in the City. She said Track Town 12 had provided two large-screen monitors for live viewing downtown of events at the Olympic Trials, and many people had taken the opportunity to view events on the monitors.

A. WORK SESSION

2012 General Obligation Bonds for Street Preservation Projects

Public Works Director Kurt Corey noted that Parks Open Space (POS) Director Johnny Medlin would be retiring soon and Mark Schoening would serve as the Acting-In-Capacity POS Director.

Mr. Corey explained that the work session was an opportunity for the City Council to continue its discussion of funding capital pavement preservation projects with a General Obligation (GO) bond measure to fix streets.

The council discussed several aspects of the City's street preservation projects, including the wisdom of continuing to use an auditor, the fact that surveys show most people are satisfied with the street preservation program and the need for a sustainable budget for street preservation costs.

MOTION AND VOTE

Councilor Brown moved, seconded by Councilor Taylor, to direct the City Manager to bring the council a resolution placing a \$43 million GO bond measure to fix streets on the November 2012 ballot, consistent with the resolution in Attachment A. PASSED 8:0.

B. WORK SESSION

City Council Processes

Minutes and Meeting Records

Mayor and City Council Support Manager Beth Forrest explained that the council minutes-taking process was being streamlined in order to save money and provide a more efficient meeting management process. Several questions were raised by the council such as whether the minutes could be indexed electronically

and if it was a good thing to lose minutes which are nearly verbatim. Ms. Forrest said Sire Technologies, the company which will provide the City's new meetings management software, was scheduled to provide a demonstration at an upcoming meeting and would be able to answer questions at that time. She also noted that verbatim minutes could be provided if requested. She said the councilors would be provided with iPads or laptops and staff help would be provided in learning how to use the new equipment and technology.

Future Office and Meeting Space – August Move

Ms. Forrest summarized the move of the City Manager's Office (CMO), including the Mayor and councilors' offices, to the Public Services Building in August. In response to questions, City Manager Jon Ruiz said that the CMO move back to a permanent home would take at least a couple of years.

Intergovernmental Relations (IGR)

It was noted that former IGR Manager Brenda Wilson was now the Executive Director of the Lane Council of Governments and her temporary replacement for several months would be Planning Director Lisa Gardner. The role of the IGR Manager and how that role might change in the future was discussed. Several councilors expressed their belief that Ms. Gardner was a "great choice" as an interim replacement.

Council Vacancies

The filling of a council vacancy was discussed. The legal requirement is that no appointment can be made until a position has been vacated which means that no formal action can be taken to fill Councilor Farr's council seat until January, but all other steps towards filling the position can be started immediately.

The group agreed that an official recruitment for the position would begin in October with consensus on an appointment to be reached before the council takes its winter break. The appointment could then take place at the State of the City in January, by which time Councilor Farr will have resigned his council position to take his seat as a County Commissioner.

The Mayor requested that the public be given official notice of the appointment process and timeline.

V. ADJOURN:

The Mayor adjourned the meeting at 1:32 pm.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kris Bloch)

MINUTES

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

July 9, 2012
12:00 p.m.

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

Her Honor Mayor Kitty Piercy called the July 9, 2012, work session of the Eugene City Council to order.

Meetings Management Program Update

Anthony Wong of Sire Technologies presented a Power Point presentation to demonstrate the functionality of the City's new meetings management software.

A. WORK SESSION

Update on City Hall

Acting-In-Capacity Facilities Management Division Director Myrnie Daut and Design/Construction Section Manager Mike Penwell described plans for the move of City Hall to the County's Public Services Building.

Topics discussed by the council included:

- A dislike for the expression "moth-balling" in relation to City Hall
- Concern for the public art at City Hall
- The concept of re-building as opposed to renovating City Hall
- The possibility of tearing City Hall down "to the bones"

Architects Otto Poticha and John Rowell each presented graphics for a re-designed and/or re-built City Hall and described the concepts/issues behind the designs, such as:

- What defines a "great street" – a place where people want to be – public open space?
- The concept of great streets might lead to a reconsideration of one-way streets around City Hall.
- Pearl and High streets could be as important as 8th Avenue.
- City Hall could be a hybrid between a re-built and a new City Hall.
- City Hall is not well connected to the street level.
- It would be possible to remove the southern portion of the building, enlarge the Council Chamber, add restrooms to the Chamber and create a display area in the Chamber.
- There is a certain, perhaps, desirable "extravagance" in maintaining a one-story City Hall building.

Issues discussed by the council and architects included:

- Could a farmer's market be included in the new City Hall area?
- The moat around the Council Chamber could be a light source for the parking area.

- Should all City offices be located at the current City Hall location?
- Mr. Poticha's plans would remove everything at City Hall except the building frame in which City offices could grow incrementally.
- A parking lot to the south of City Hall could remain a parking lot, thus supplementing parking and maintaining good solar possibilities for City Hall.
- Eugene Water & Electric Board's current administration offices, if vacated, would be a possible site for a future City Hall.
- A smaller group comprised of councilors might be formed to consider the future of City Hall.

V. ADJOURN

The Mayor adjourned the meeting at 7:14 pm.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

(Recorded by Kris Bloch)

M I N U T E S

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

July 9, 2012
7:30 p.m.

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

COUNCILORS ABSENT: George Poling

Her Honor Mayor Kitty Piercy called the July 9, 2012, regular meeting of the Eugene City Council to order.

1. PLEDGE OF ALLEGIANCE TO THE FLAG AND READING OF THE DECLARATION OF INDEPENDENCE

In recognition of Independence Day on July 4, John Brown, Ron Schmaedick, and Charlie Henry read the Declaration of Independence and the led those in attendance in reciting the Pledge of Allegiance to the Flag.

2. CEREMONIAL MATTERS

John Ostrowski, former director of Public Works at Vancouver, Washington, presented Mayor Piercy with a plaque recognizing Public Works' reaccreditation by the American Public Works Association.

After brief remarks from Public Works Director Kurt Corey, Public Works employees Carla Spangler and Gary McNeel were recognized for their efforts in achieving reaccreditation.

3. PUBLIC FORUM (27 participants)

- Mary Salinas spoke about the homeless and paid tribute to those who have died.
- Shelley Deadmond, spoke about a new home biogas start-up business.
- Helen Liguori supported the recommendations of the Opportunity Eugene task force.
- Carol Berg-Caldwell complimented the new Municipal Court facility.
- Mark Robinowitz spoke about energy literacy and said money was being wasted on growth policies.
- David Ivan Piccioni spoke about global energy issues and challenges.
- Mike Brinkley, *Sierra Club*, spoke in support of an ordinance banning single-use plastic bags.
- Irene Ferguson spoke about taking responsibility for the coal train decision.
- Jere Rosemeyer cited three recent train derailments as evidence of the need for the coal train resolution.
- Jerry Smith supported homeless services that encourage self-sufficiency.
- Eugene Drix praised the work being done downtown, the Olympic Trials, and Oregon Country Fair.
- Bob Granger supported the ban on single-use plastic bags.
- Robin Bloomgarden said more action should be taken on the Opportunity Eugene recommendations.
- Michael Carrigan asked the council to take action on the Opportunity Eugene recommendations.
- Ashley Miller, Oregon League of Conservation Voters, supported the ban on plastic bags.
- Randy Cain spoke about homelessness, police actions, and the coal train resolution.
- Allen Hancock, Oregon League of Conservation Voters, supported the ban on plastic bags.
- Sasha Luftig, Oregon League of Conservation Voters, supported the ban on plastic bags.

- Sabra Marcroft asked the council to look at challenges as opportunities.
- Shawn Miller supported the ban on single-use plastic bags and implementing a fee on paper bags.
- Howard Bonnet, Sustainability Commission, supported the three environmental resolutions.
- Jordan Chesnut spoke in favor of the coal train resolution.
- Noah Dewitt reported that the effects of climate change are growing with each generation.
- Kate Kelly introduced the “bag monster” and related some statistics about the use of plastic bags.
- Kevin Matthews complained about the manner with which the City Hall discussion was occurring.
- Sarah Higginbotham, Environment Oregon, provided statistics on the use of plastic bags.
- Louisa Hamachek supported the quick implementation of Opportunity Village.

Councilor requests:

Councilor Zelenka indicated he would request a work session to consider referring to the voters an advisory question on corporate personhood.

4. CONSENT CALENDAR

- a. **Approval of City Council Minutes**
- b. **Approval of Tentative Working Agenda**

MOTION AND VOTE

Councilor Brown, seconded by Councilor Farr, moved to approve the items on the Consent Calendar. PASSED 7-0

5. ACTION:

Adoption of a Resolution Calling a City Election on November 6, 2012, for the Purpose of Referring to the Legal Electors of the City of Eugene a Measure Authorizing the Issuance of a Maximum of \$43,000,000 of General Obligation Bonds to Fund Street Preservation Projects and Bicycle and Pedestrian Projects

MOTION AND VOTE

Councilor Brown, seconded by Councilor Farr, moved to approve a resolution calling a City Election on November 6, 2012, for the purpose of referring to the legal electors of the City of Eugene a measure authorizing the issuance of a maximum of \$43,000,000 of General Obligation bonds to fund street preservation projects and bicycle and pedestrian projects. PASSED 7-0 (Poling absent)

6. ACTION:

Approval of Motions Relating to Production of a Voters’ Pamphlet for the November 6, 2012, Election

MOTION AND VOTE

Councilor Brown, seconded by Councilor Farr, moved to direct the City Manager to publish and distribute a local voters’ pamphlet for the election scheduled for November 6, 2012, on a GO bond to fund street preservation, and to authorize the expenditure of funds from the General Fund contingency account that are required to produce that voters’ pamphlet. PASSED 7:0 (Poling absent)

MOTION AND VOTE

Councilor Brown, seconded by Councilor Farr, moved to appoint councilors Pryor, Zelenka, and Brown to the voters’ pamphlet proponent committee for the Street Preservation GO Bond ballot measure. PASSED 7:0 (Poling absent)

**7. ACTION:
Resolution 5064 in Support of Reducing Greenhouse Gas Pollution under the Clean Air Act**

MOTION AND VOTE

Councilor Brown, seconded by Councilor Ortiz, moved to adopt Resolution 5064 in support of reducing greenhouse gas pollution under the Clean Air Act. PASSED 5:2 (councilors Clark and Farr opposed; Councilor Poling absent)

**8. ACTION:
Resolution 5065 to Oppose the Transport of Coal for Export through Eugene**

The council discussed the reported health issues and other dangers caused by the transport of coal through populated areas. Concerns were raised that more information and perspectives were needed before making a decision.

MOTION AND VOTE

Councilor Clark, seconded by Councilor Pryor, moved to postpone consideration of the resolution until after council has had a work session on it. A friendly to hold the work session on July 16 was accepted. PASSED 7:0 (Councilor Poling absent)

9. ACTION: Corporate Personhood Resolution

MOTIONS AND VOTE

Councilor Taylor, seconded by Councilor Brown, moved to direct the City Manager to bring back to the council on July 23 a resolution referring to the voters an advisory question on amending the U.S. Constitution on corporate personhood. PASSED 7:0 (Councilor Poling absent)

Mayor Piercy adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

MINUTES

City Council Work Session
McNutt Room, City Hall

July 18, 2012
12:00 Noon

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

Mayor Kitty Piercy opened the meeting and welcomed those present, those watching the webcast and those at home to the City Council Work Session on Opportunity Eugene Task Force Update and Policy Framework. She noted that Council President George Brown had requested a moment to address an issue and turned the floor over to him.

Council President George Brown distributed a memorandum for the City Council to read regarding the Capstone Project.

A. OPPORTUNITY EUGENE TASK FORCE UPDATE

Planning and Development's Community Programs Analyst, Michael Wisth provided a brief PowerPoint presentation and overview of the work done by the City of Eugene and the Opportunity Eugene Task Force to address the issue of homelessness. The overview touched on City Council-allocated money for improved health care services at Whitebird, the Chrysalis Program, Buckley House and additional services at the SVDP Hwy. 99 Lindholm Center, as well as a variety of other service enhancements.

Mr. Wisth reviewed the six Task Force recommendations and policy framework. He concluded his presentation by outlining the three proposed council options.

The councilor expressed a variety of concerns, preferences and requests, including:

- The overall cost of homelessness, even if council did nothing to address the issue
- There is an ongoing need to provide safe overnight shelter
- The safety and security of all people in the community, both housed and un-housed is paramount
- The time it takes to move complex issues and actions through local government is significant
- There is concern that winter and cold weather are quickly approaching
- There is concern about the six-week Council break related to the October 1st target date for a homeless campsite and any work that could or would be done during that window of time
- The level of disappointment to community members will be enormous if the council doesn't provide a way for progress on this issue to begin
- City staff should be tasked with researching appropriate sites and locations during the Council break so that when Council reconvenes it can begin to work on site selection without losing that valuable window of time

- This is a very complex and important issue and the City Council needs to work diligently and carefully to do it right the first time and avoid hasty actions they may regret later
- All constituents' points of view must be considered– some urge swift action to help homeless individuals, others expressed concerns about the overall impact, safety and security.
- Getting 30 people with families who are currently homeless with children into a camp near Cesar Chavez School.
- Assess the risk and liability factors, community impacts; discuss larger community concerns associated with a homeless camp.
- Identify both public and privately owned locations for Council consideration

A majority of councilors supported the concept of Council Option 1, but felt some revisions were needed before passing a motion.

Councilor Brown, seconded by Councilor Ortiz, moved to direct the City Manager to pursue implementation without additional policy framework, a recommendation of #1, safe and secure site or sites of the Opportunity Eugene Task Force with a view to having the site or sites ready for occupancy October 1, 2012.

Discussion followed, with Councilor Brown noting that the October 1, 2012, date is aspirational and may not be realistic, but it is an identified target date to work toward.

Councilor Zelenka, seconded by Councilor Pryor, move to substitute that the council agree with the Opportunity Eugene Task Force recommendation #1 and direct the City Manager to schedule a work session to:

- a) Finalize the policy framework and*
- b) Evaluate the recommendations of the Opportunity Eugene Task Force based on this framework and to direct the City Manager to explore, investigate and develop a process to implement recommendation #1 (safe and secure site of the task force) and evaluate them consistent with policy framework as revised by the Council, with the policy framework and bring this work back to a work session after the summer break.*

Councilor Zelenka withdrew his substitute motion after Councilor Clark said he would submit an alternate substitute motion.

Councilor Clark, seconded by Councilor Pryor, moved to substitute to direct the City Manager to schedule a work session after council break to a) finalize the policy framework, and b) evaluate the recommendations of the Opportunity Eugene Task Force based on this framework.

The motion passed 5:3, with Councilors Taylor, Brown and Ortiz opposed.

The main motion passed 5:3, with Councilors Taylor, Brown and Ortiz opposed.

Councilor Clark, seconded by Councilor Pryor, move to direct the City Manager to explore, investigate and develop a process for implementation of Recommendation #1, evaluate against the framework, and bring it back for a work session after break.

Councilor Brown noted concerns about the amount of time this work will take, that severe weather will be coming soon and that an encampment, if it develops at Cesar Chavez Elementary School, would be temporary, for three to five years. He also noted that it would be occupied by 30 individuals or families with children who attend that school.

The motion failed 4:5, with councilors Brown, Ortiz, Taylor, and Zelenka opposed, and Mayor Piercy breaking the tie in opposition.

The Mayor noted that she was frustrated with their inability to set aside some of the smaller details in favor of moving this process forward – she wanted the council to come agreement. She asked the council to find a way to get to yes, so that they could find a way to begin work on this issue.

Councilor Zelenka suggested a truncated and simpler version of the motion. Councilor Zelenka suggested that they implement option #1 of the recommendations from the Opportunity Eugene Task Force and ask the City Manager what he plans to bring back to the council.

Councilor Clark, seconded by Councilor Pryor, move to have the City Manager come back after the break with an evaluation of potential locations and process for creating a safe and secure location or locations.

Councilor Taylor noted that she wanted to discuss the topic at a work session before the council break. Councilor Brown asked to be kept informed as the process moved along. He asked if staff could send an e-mail to the City Council and to the Opportunity Eugene Village People about potential sites that are identified.

The City Manager recapped what he heard Councilors request:

- Identify and evaluate potential public and private sites
- Identify process options to establish one or more sites
- Bring information back to the City Council in a work session meeting after the break

City Manager then clarified that there are a couple of ways these things can be accomplished:

- Identify sites and share them publicly, which might create some anxiety
- Do a public process on the front end in the hope of allowing early input

The City Manager noted that the City needs to remain neutral on this topic and bring forward its best professional expertise. Mayor Piercy acknowledged that a whole range of things will likely be brought forward and discussed, and while that doesn't negate all the work that has been done to-date, it does allow for future possibilities.

The motion passed 7:1, with Councilor Ortiz opposed.

V. ADJOURN:

The Mayor adjourned the meeting at 1:35 pm.

(Recorded by Michelle Mortensen)

MINUTES

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

July 23, 2012
5:30 p.m.

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

Her Honor Mayor Kitty Piercy called the July 23, 2012, work session of the Eugene City Council to order.

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

Mayor Piercy thanked those responsible for the recent, free Eugene Symphony in the Park concert at Cuthbert Amphitheatre. She noted that there would be a Mayor's One-on-One at Albertson's on Royal Avenue on July 31 and that she and Councilor Farr would be there to speak with citizens about community issues. She reminded the group that the Mayor's Innovation Project would be taking place in Eugene in early August.

Councilor Taylor also commented on how much she had enjoyed the Eugene Symphony in the Park concert. She noted that the Lane Workforce Partnership was planning a working retreat. She said she had just attended the National League of Cities (NLC) board meeting. She noted that the NLC's influence in the nation seemed to be growing. She said Home Depot was a corporate partner of the NLC and was looking for community projects with which to be involved, including providing building materials and staff for veteran's housing projects.

Councilor Poling said a meeting to discuss traffic-calming on Jeppesen Acres Road would be held July 25. He noted that the Lane County Home Builders Association had recently honored City Manager Jon Ruiz and Terry McDonald, executive director of St. Vincent DePaul, for their efforts to create housing for veterans in concert with the Home Builder's Association.

Councilor Pryor noted that the neighbors in the Acorn Park Area had created a path from the street to the park by providing labor and materials for the path. He noted this as a great example of a neighbors working together to improve their neighborhood.

Councilor Ortiz said she had recently attended an event in celebration of Union Pacific's (UP) 150th year of operation in the area. She said UP was offering officials a free ride to Salem on the train on July 30 and would return participants to the area by noon.

Councilor Zelenka said he, too, had attended the UP event. He also said he had attended and greatly enjoyed the Symphony in the Park event. He noted that the Laurel Hill Valley Picnic was coming up and was attempting to have a no-waste event. He noted that several movies in the park were planned. He said he was concerned about a recent stop-work order issued to the Capstone project.

Councilor Farr reminded the group that a young woman named Shelley Deadmond had recently spoken at one of the council's public forums on an anaerobic digestion plant with which she is affiliated. He said he had visited the biogas production facility over the weekend. He said the group has recently secured a grant to help Otter Crest problems related to its effluents. He noted that Councilor Pryor had spoken at a recent Human Services Commission meeting and had done a good job of summarizing the funding for human services. He said the council would soon receive a statement from the Human Rights Commission regarding a statement of principles from Lane County Network for Immigration Integration.

Assistant City Manager Sarah Medary noted that the council had gotten the Santa Clara River Road Outreach and Learning Report in a recent packet and that this was an excellent example of neighborhood leaders working together.

Councilor Brown said mitigation efforts to reduce the amount of dust being raised by demolition work for the Capstone project were ineffective. He said a lack of transparency and responsiveness by this group had prompted the motion he was about to present.

The council discussed the Lane Regional Air Protection Agency's (LRAPA) role in the demolition work. Some councilors were concerned with a perceived lack of concern shown by Capstone in terms of demolition work and the possible toxins being released into the air in the area of the demolition work. There was concern that an environmental assessment report for the project had not been issued.

MOTION AND VOTE

Councilor Brown moved, seconded by Councilor Taylor, it is the intent of the City Council that the demolition of the PeaceHealth Clinic does not compromise the health and well-being of nearby residents, workers and visitors due to air-borne hazardous materials (asbestos, lead, ultrafine particulate matter, etc.) that may be generated on site. The issuance of a City "stop work order" last week indicates lingering problems in this area.

Council directs the City Manager to provide council at the Wednesday, July 25 work session with copies of any prior environmental assessment including the asbestos survey, and to provide council with specific protocols, air-quality monitoring and independent oversight being employed by the contractors and public agencies to ensure that council's intent is adequately addressed. FAILED: 2:6; Councilors Brown and Taylor in favor.

Mayor Piercy requested staff to submit whatever information about the council's concerns related to Capstone it could gather by its next work session on July 25.

B. WORK SESSION **Annual Meeting with Police Commission**

Police Commission Chair Juan Carlos Valle and Vice Chair Tamara Miller reported on the commissions' past accomplishments and its present work and future plans.

The council noted:

- The Police Commission is doing an incredible amount of work
- It could pursue a recommendation of Opportunity Eugene and look at how laws affect the homeless.
- A student forum on the campus at the University of Oregon to solicit ideas from students on policing that respects and reflects Eugene's diversity seems like a particularly worthy goal.

- The goal of holding a community panel on the state of public safety also seems highly worthwhile.
- There is a concern for the amount of staff time available for the commission.
- There is a need to always leave time in the work plan for emerging issues in the community.
- The commission has its “ears to the ground” which helps it to be prepared for emerging issues.

MOTION AND VOTE

Councilor Brown moved, seconded by Councilor Farr, to approve the Police Commission’s FY 2013 Work Plan. PASSED: 8:0.

**C. WORK SESSION:
Plastic Bag Ban**

Waste Prevention and Green Building Program Manager Ethan Nelson and Zero Waste Community Outreach Analyst Stephanie Scafa presented a Power Point presentation on a proposed plastic bag ban.

The council discussed the following:

- Best way to encourage the use of reusable bags is to ban plastic bags and charge a fee for paper bags
- A five-cent fee on paper bags is more equitable for grocers
- Not a good time to create a new “tax” for people
- Recyclable grocery bags may not be sanitary
- Fee not a tax because those who bring recyclable bags do not need to buy a paper bag
- Grocers committed to making bags available to low-income people

MOTION AND VOTE

Councilor Brown moved, seconded by Councilor Farr, to send the proposed ordinance with only one option containing the fee provision to the Sept. 17, 2012, public hearing. PASSED: 7:1, Councilor Clark opposed.

Mayor Piercy adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kris Bloch)

MINUTES

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

July 23, 2012
7:30p.m.

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

Her Honor Mayor Kitty Piercy called the July 23, 2012, regular meeting of the Eugene City Council to order. She expressed sympathy and support to the people of Aurora, Colorado affected by the shooting incident. Mayor Piercy also noted that this meeting is the last regular meeting in the City Council Chamber.

1. **PUBLIC FORUM** (16 participants)

John Flanery, spoke in support placing an advisory question on corporate personhood on the November ballot.

Josef Siekiel-Zdzienicki asked the council to read the environmental impact assessment recently published by Lane Transit District (LTD) regarding the proposed West Eugene EmX bus line.

Charlie Swanson spoke in favor of passing Resolution #5069, placing the issue of corporate power on the November ballot.

Stan Taylor spoke in favor of Resolution #5069, asking the council to put the issue on the November ballot.

Leonard Hockley spoke in favor of Resolution #5069, asking the council to put the issue on the November ballot.

Michael Carrigan, Opportunity Village Eugene, urged the council to work quickly to find a safe place for homeless to be.

Barbara Prentice, Opportunity Village Eugene, asked the council to act quickly in the creation of a homeless village.

Ann Kelvin, Opportunity Village Eugene, advocated for “pocket neighborhoods” of no more than 30 (campers) members each.

Zachary Vishanoff talked about the skate park being developed by the City and asked the council to request a report from ODOT about the metal that fell under the bridge.

David Fidanque, spoke in opposition to the call for an advisory public vote on Resolution # 5069, noting that the resolution is so broadly worded it could negatively impact non-profit agencies such as Community Alliance of Lane County and St. Vincent De Paul Society.

John Haakanson spoke in support of local Eugene Police efforts to maintain safety in the park blocks downtown.

Tom Schneider asked the City Council to find a better long-term solution for sidewalk infill so the financial burden is not supported solely by residents.

Joe Tyndall spoke about Eugene's treatment of homeless people vs. those with money.

Wendy Butler-Boyeson advocated for the proposed West Eugene EmX line.

Marjorie Smith spoke about the health-related problems associated with the demolition of the buildings on the Capstone site near 11th and Olive, particularly for residents of Olive Plaza.

Bill Rodgers spoke in favor of Resolution #5069, asking Council to put the issue on the November ballot.

Mayor Piercy closed the public forum and thanked everyone for their comments, requests, suggestions and questions.

Councilors commented on the testimony about homeless issues and clarified that the council did not vote to implement an Opportunity Village in Eugene, they voted to request more information about potential sites and processes. Councilor Ortiz noted that she did not support the vote last week on this topic because things weren't moving fast enough. Councilor Brown also announced that a meeting will be held on 7/24/12 at Cesar Chavez School at 6:30 p.m. to discuss the possibility of a transitional camp near the school at 13th and Chambers Streets.

2. **CONSENT CALENDAR**

- A. Approval of City Council Minutes
- B. Approval of Tentative Working Agenda
- C. Adoption of Resolution 5066, Annexing Land to the City of Eugene (Satterwhite – A 12-1)
- D. Adoption of Resolution 5067 Approving a Low-Income Rental Housing Property Tax Exemption for the Property Located at 1535-1563 City View Street, Eugene (SVDP Property)
- E. Appointment to the Lane Regional Air Protection Authority
- F. Ratification of Unanimous Intergovernmental Relations (IGR) Committee Actions Pertaining to the League of Oregon Cities Legislative Priority Agenda

Councilor Brown, seconded by Councilor Farr moved to approve the Consent Calendar. Councilor Ortiz pulled item E. Vote: 8:0 the motion passed unanimously.

Item E: Councilor Ortiz expressed concern that she didn't see the recruitment for the board position of LRAPA. Staff responded that this position was recruited for along with all the others, in an open and public process.

Move to appoint Joseph Gonzales to Position 3 on the Lane Regional Air Protection Agency for a three-year term beginning July 23, 2012, and ending on June 30, 2015. Vote: the motion passed unanimously, 8:0.

3. **PUBLIC HEARING: An Ordinance Concerning Sign Standards and Amending Sections 9.0500, 9.6610, 9.6615 and 9.6630 of the Eugene Code, 1971**

Assistant City Attorney Jerry Lidz introduced the topic, providing background and reviewing the proposed amendments to the sign code standards. He noted that Council had asked for public comment specifically on the size of the signs.

The Mayor opened the Public Hearing on this topic.

Dave Fidanque, ACLU, noted that the proposed 12 square foot size of signs is smaller than the standard size of flags and banners, which could possibly create a code violation where one was not intended. He said the ACLU would not be opposed to increasing the size to 15 square feet to accommodate the size of most standard flags (3 x 5). He said the ACLU would be opposed to a decrease in the size if it fell below 12 square feet.

Justin Thorp, Portland resident and attorney working with the Eugene ACLU, supported the proposed sign code amendments as long as the size didn't drop below 12-square-feet.

Bob Macherione noted that he put a sign in opposition to the West Eugene EmX on his property and the City required a permit and fee for the sign, which launched a review of the sign code. He also noted that additional fines were levied against him while negotiations with the ACLU were underway. He felt this was unfair and unjustified.

Josef Siekiel-Zdzienicki supported the size of the signs at 12-square-feet or larger.

Mayor Piercy closed the public hearing.

4. **PUBLIC HEARING: An Ordinance Vacating a Portion of High Alley, Located Between East Broadway and East Broadway Alley (VRI 12-2)**

Mayor Piercy opened the public hearing.

Paul Redhead supported the proposed alley vacation. He provided background on the previous uses of the old Eugene Hotel building.

John Lawless, TBG Architects, supported the proposed alley vacation and noted that all the local utilities and abutting property owner also support this action

Mayor Piercy closed the public record.

5. **ACTION: Resolution 5068 Annexing Land to the City of Eugene (Getty - A 12-2)**

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5068, which approves the proposed annexation request consistent with the applicable approval criteria.

Staff introduced the item. Discussion occurred about why this item is coming before the council if it is not contiguous to the city limits. Councilors also discussed deferring City tax implementation for a 10-year period of time or if the property is sold or otherwise transferred.

Councilor Zelenka, seconded by Councilor Brown moved to substitute to initiate a phased or progressive tax structure which would start at 69% and increase over the 10-year period of time to 100%.

Several councilors noted that a tax deferral option for currently un-annexed property owners in the River Road and Santa Clara area who wish to annex, but can't afford the higher tax rate at this time, might be willing to annex if a deferral or phased option were available.

Councilor Zelenka's substitute motion failed, 6:2, with Councilors Brown and Zelenka voting in favor.

The original motion passed unanimously, 8:0.

6. **ACTION: Resolution 5069 Calling a City Election on November 6, 2012, for the Purpose of Submitting an Advisory Measure to the Legal Electors of the City of Eugene Concerning Constitutional Rights of Corporations**

Councilor Brown, seconded by Councilor Farr, moveD to adopt Resolution 5069 submitting an advisory question on rights of corporations and to authorize the expenditure of funds from the General Fund contingency account to cover expenses for the voters' pamphlet.

Several councilors indicated they would not support the motion as written because it was too broad, lumped all corporations, for- and not-for profit alike, into the same category and didn't include unions and special interest groups. Questions about timing, wording and the cost of putting this item on a 2013 ballot were discussed.

Councilor Zelenka, seconded by Councilor Taylor moved to table this item until Wednesday, July 25, 2012 for further discussion. The motion passed 6:2, with Councilors Clark and Poling opposed.

7. **ACTION: Resolution 5070 Authorizing Application for an Electronic Commerce Designation in the West Eugene Enterprise Zone**

Councilor Brown, seconded by Councilor Farr moved to adopt Resolution 5070, authorizing application to the State of Oregon for an e-commerce designation in the West Eugene Enterprise Zone.

Councilors posed questions to staff about impacts, special requirements, criteria, exemptions, community benefit, wages and impact to the local tax structure. Councilor Ortiz noted that other ventures similar to this have been successful in helping businesses become established and grow; however, she asked staff to be mindful of the impact to neighborhood parking in areas where residential properties meet commercial.

The motion passed 7:1, with Councilor Taylor opposed.

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

(Minutes recorded by Michelle Mortensen)

MINUTES

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

July 25, 2012
Noon

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

Her Honor Mayor Kitty Piercy called the July 25, 2012, work session of the Eugene City Council to order and noted that it would be the last City Council meeting in the McNutt Room, since City Hall was closing soon. Mayor Piercy began the meeting by moving to the second agenda item while waiting for the Track Town 12 guests to arrive.

1. RESOLUTION # 5069 – REFER TO VOTERS: CORPORATE PERSONHOOD

The council considered and discussed the proposed ballot title, summary description and wording of the resolution.

Mayor Piercy announced the University of Oregon guests had arrived and asked councilors to pause on this item.

2. TRACK TOWN 12 APPRECIATION RESOLUTION

Mayor Piercy welcomed Vin Lananna and Greg Erwin from the University of Oregon. Assistant City Manager, Sarah Medary introduced the item, expressing gratitude for the partnership between the University of Oregon and the City of Eugene to bring Track Town 12 to the community. Mr. Lananna noted that it was the collaboration of a lot of people and agencies that made the event possible. Councilors voiced thanks and gratitude to both guests for their work, noting specifically their appreciation for the event organizers' efforts around recycling and sustainability. University staff was also recognized for their thoughtful and courteous efforts to minimize the impact of the event on residents in nearby neighborhoods.

Mayor Piercy read the text of the resolution.

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5071 in appreciation of the 2012 U.S. Olympic Team Trials – Track & Field, known as Track Town 12. The motion passed 8:0.

1. RESOLUTION # 5069 – REFER TO VOTERS: CORPORATE PERSONHOOD (*continued*)

Councilors discussed several issues related to this item, including the cost of adding another ballot measure to the November 6, 2012, General Election, the inclusion of unions in the proposed resolution, and the concern that not all corporations are 'bad' or 'for profit.'

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5069 submitting an advisory question on rights of corporations and to authorize the expenditure of funds from the General Fund contingency account to cover expenses for the voters' pamphlet. The motion passed, 6:2, with Councilors Poling and Clark opposed.

Mayor Piercy asked for volunteers to serve on the proponent committee to write the argument in favor of this item. Councilors Taylor and Zelenka agreed to be on this committee.

Councilor Brown, seconded by Councilor Farr, moved to appoint Councilor Taylor and Council Zelenka, to serve as members of the proponents' committee to prepare the argument and rebuttal in favor of the measure. The motion passed 8:0.

3. DOWNTOWN PUBLIC SAFETY ZONE (DPSZ) DISCUSSION

Chief Kerns introduced Lt. Sam Kamkar, Community Service Officer Tonee Webber and Sgt. Larry Crompton who were in attendance to respond to questions. He explained that the purpose of the session was to ask the council for direction, as the ordinance is scheduled to sunset in November 2012.

Chief Kerns provided a brief history of the Downtown Public Safety Zone (DPSZ) and data to illustrate how the exclusion zone was working.

Lt. Kamkar reviewed the exclusion process and described the changes that had been made to the program in response to council concerns and suggestions.

Chief Kerns informed the council that EPD now publicizes data about exclusions on the City's website, making access to public records easy and free. He also noted that his staff will send summaries and quarterly reports to the council about the number of exclusion notices and the adjudication details from Municipal Court indicating if the exclusions were granted or not. Chief Kerns outlined the council's options:

1. Renew and extend DPSZ
2. Eliminate the 90-day exclusion (this is the most common type of exclusion)
3. Allow DPSZ to sunset in November 2012

The Mayor and councilors asked questions and voiced concerns about the program, including:

- The effectiveness of the Advocacy Program.
- The difference between park exclusions and DPSZ exclusions.
- The perception by some that EPD officers target homeless people with trivial violations.
- Allegations that officers are issuing notices of exclusion to drive homeless people out of downtown.
- The availability of other tools for EPD to remove repeat offenders from downtown.
- The cost-effectiveness of DPSZ.
- The risk that people who have been excluded from downtown go into nearby areas/neighborhoods instead.

4. TOAST TO CITY HALL:

Mayor Piercy spoke about the years that City Hall served the needs of the community and the many meetings and business that were conducted in the building over the years. She expressed excitement about the future and her commitment to moving forward expeditiously on a new City Hall..

Mayor Piercy adjourned the meeting at 1:30 pm.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

(Minutes taken by Michelle Mortensen)