



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

May 13, 2013

5:30 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

7:30 p.m. CITY COUNCIL MEETING

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of May 13, 2013;
Her Honor Mayor Kitty Piercy Presiding**

Councilors

George Brown, President

Pat Farr, Vice President

Mike Clark

George Poling

Chris Pryor

Claire Syrett

Betty Taylor

Alan Zelenka

CITY COUNCIL WORK SESSION

Harris Hall

5:30 p.m.

A.

COMMITTEE REPORTS:

**Chamber of Commerce, Housing Policy Board, Lane Regional Air
Protection Agency, Metropolitan Wastewater Management**

Commission

- 6:00 p.m. B. WORK SESSION:
Multi-Unit Property Tax Exemption (MUPTE) Program**

CITY COUNCIL MEETING Harris Hall

1. CEREMONIAL MATTERS

2. PUBLIC FORUM

3. CONSENT CALENDAR

(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

A. Approval of City Council Minutes

B. Approval of Tentative Working Agenda

C. Ratification of the Metropolitan Wastewater Management Commission (MWMC) FY14 Regional Wastewater Program Budget and Capital Improvements Program

4. ACTION:

Approval of Support Position for Senate Bill 306-A

5. WORK SESSION:

Metro Plan Boundary Adjustment Proposal (Springfield Side)

**time approximate*

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available online at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Multi-Unit Property Tax Exemption (MUPTE) Program

Meeting Date: May 13, 2013
 Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: B
 Staff Contacts: Denny Braud
 541-682-5536

ISSUE STATEMENT

On February 27, 2013, the council approved an ordinance suspending the Multi-Unit Property Tax Exemption (MUPTE) program to provide the time needed for council to conduct a detailed evaluation of the program and determine if modifications should be made. This work session is a continuation of the discussion related to potential modifications to the MUPTE program.

BACKGROUND

At the April 22, 2013, council work session, staff received feedback on potential modifications to the MUPTE program. The following is a summary of some of the key elements that were discussed:

- Establish minimum threshold criteria that provide a high degree of certainty relative to public benefits that are desired
- Consider a scaled/tiered system that reflects clear public benefit outcomes
- Support local hiring
- Consider the community's need for affordable housing
- Support projects that meet green building standards
- Consider options for placing a cap on the project's return on investment
- If funds are recaptured based on a cap, consider dedicating these funds to affordable housing or emergency housing needs
- Consider options for capping the volume of projects within the program
- Consider increasing the application fee to help cover program administration
- Projects should address potential positive and negative impacts to neighborhoods
- Consider expansion of the boundary in support of Envision Eugene desired outcomes, including key corridors, transit-oriented areas, and commercial centers
- Regarding the "but for" community debate, work with local developers and stakeholders to gain a better understanding of the program need

The ordinance suspending the MUPTE program expires on June 30, 2013. However, at the May 8 work session, the council provided direction to extend the suspension to July 31 to provide the additional time needed to finalize program modifications. A public hearing and council action on an ordinance extending the suspension is tentatively scheduled on May 28 and May 29 respectively.

For discussion purposes, Attachment A includes options for modifying the MUPTE program based on council input from the April 22 work session. The options are presented as specific program outcomes identified by the council (for example, “green building”) and categorized as MUPTE *minimum threshold criteria, additional public benefit criteria, and other program considerations.*

For this work session, staff is seeking council’s review of various criteria options, and direction on preferred MUPTE program criteria. This input will be used to draft refined program criteria that would subsequently be reviewed by stakeholders and the council. The following is an updated timeline for completing the MUPTE program modifications.

- May 22 Council work session
- May 28 Public Hearing – Ordinance extending MUPTE suspension
- May 29 Council action – Ordinance extending MUPTE suspension
- June 17 Public Hearing – Ordinance on new MUPTE criteria
- June 24 Council action – Ordinance adopting new MUPTE criteria

RELATED CITY POLICIES

Utilization of the MUPTE program to stimulate new multi-unit housing development addresses many goals for Eugene and downtown, including:

Eugene Downtown Plan

- Stimulate multi-unit housing in the downtown core and on the edges of downtown for a variety of income levels and ownership opportunities.
- Downtown development shall support the urban qualities of density, vitality, livability and diversity to create a downtown, urban environment.
- Actively pursue public/private development opportunities to achieve the vision for an active, vital, growing downtown.
- Use downtown development tools and incentives to encourage development that provides character and density downtown.
- Facilitate dense development in the courthouse area and other sites between the core of the downtown and the river.

Envision Eugene Pillars

- Promote compact urban development and efficient transportation options.
 - Integrate new development and redevelopment in the downtown, in key transit corridors and in core commercial areas.
 - Meet the 20-year multi-family housing need within the existing Urban Growth Boundary.
 - Make compact urban development easier in the downtown, on key transit corridors, and

in core commercial areas.

- Provide housing affordable to all income levels.

Regional Prosperity Economic Development Plan

- Strategy 5: Identify as a Place to Thrive - Priority Next Step - Urban Vitality
 - As we foster a creative economy, dynamic urban centers are an important asset. Eugene, Springfield and many of the smaller communities in the region recognize the importance of supporting and enhancing vitality in their city centers. Building downtowns as places to live, work and play will support the retention and expansion of the existing business community and be a significant asset to attract new investment. The Cities of Eugene and Springfield will continue to enhance their efforts to promote downtown vitality through development and redevelopment.

City Council Goal of Sustainable Development

- Increased downtown development

COUNCIL OPTIONS

This work session is an opportunity for staff to get additional feedback from the council regarding potential changes to the existing MUPTE program.

CITY MANAGER'S RECOMMENDATION

The City Manager will use council input obtained in this work session to continue refining MUPTE program modifications for future council consideration.

SUGGESTED MOTION

No motion proposed at this time.

ATTACHMENTS

A. MUPTE Program Options

FOR MORE INFORMATION

Staff Contact: Denny Braud
Telephone: 541-682-5536
Staff E-Mail: denny.braud@ci.eugene.or.us

MUPTE PROJECT: Minimum Threshold Criteria

The following are options that could be considered as “minimum threshold criteria” which each MUPTE project would be required to meet to be considered for approval.

Density
<p>OBJECTIVE: Promote compact urban development and efficient transportation options, mixed- use development, maximize the efficient use of land, and meet the multi-family housing needs within the existing Urban Growth Boundary.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> • Mirror state statute – 5 or more units
<p>Option 2:</p> <ul style="list-style-type: none"> • For Mixed-Use projects (housing above commercial): 5 or more units • For Housing-only projects: Exceeds minimum density code requirement (for example, 2x minimum density)

Project Need
<p>OBJECTIVE: Verify that the project would not be built “but for” the tax exemption.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> • 10-year pro forma reviewed by staff, the Loan Advisory Committee (or newly created panel, third party), and City Council. • If the overall rate of return at the end of the exemption period exceeds 10 percent (“cap”), then a payment equal to 25 percent of the earnings in excess of the cap will be made to the City. • Payments made under the cap provision shall be used by the City in support of local affordable housing needs, or other City needs.
<p>Option 2:</p> <ul style="list-style-type: none"> • 10-year pro forma reviewed by staff, the Loan Advisory Committee (or newly created panel, or third party), and City Council. • If the rate of return is projected to exceed 10 percent (“cap”) during the 10-year period, then one of the following shall be considered: <ul style="list-style-type: none"> ○ Shorten the period of exemption. ○ Applicant will have the option to add public benefit features (ex. open space, affordable units, higher quality materials). ○ Applicant will have the option to agree to make payments to the City in lieu of the tax exemption in later years.

Option 3:

- 10-year pro forma reviewed by staff, the Loan Advisory Committee (or newly created panel, or third party), and City Council.
- Based on program-wide annual financial reporting from projects, a panel shall periodically review the financial performance of projects and make recommendations regarding the ongoing need for the program, or potential program adjustments (boundary, criteria, etc.).

Green Building

Objective: Promote resource efficient buildings to help reduce energy dependence.

Option 1:

- Must meet one of the following green building standards
 - LEED Silver
 - Earth Advantage Multi-Family Silver
 - Oregon’s Reach Code
 - Enterprise Green Communities (for affordable housing)
 - Other equivalent standard approved by City

Option 2:

- Same as above, with council waiver provision for special cases.

Option 3:

- Do not include in minimum threshold criteria, include in additional public benefit criteria.

Affordable Housing

Objective: Promote a mixture of housing units at various levels of affordability to help meet the community’s diverse and changing needs.

Option 1:

- Project must make a payment equal to 10-percent of the first year tax exemption, payable upon completion of the project when the first year of tax exemption is granted. Funds would be used by the City to support affordable housing/emergency shelter.

Option 2:

- For rental projects, minimum of 20 percent of the units must be affordable to households earning 60 percent of area median household income.

Option 3:

- For rental projects, minimum of 20 percent of the units must be affordable to households earning 80 percent of area median household income.

<p>Option 4:</p> <ul style="list-style-type: none"> Do not include in minimum threshold criteria, include in additional public benefit criteria

Financial Reporting
<p>Objective: Collect reliable financial data during the tax exemption for the purpose of gauging individual project performance and evaluating the need and effectiveness of the MUPTE program implementing Envision Eugene.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> Project required to submit annual, accountant-prepared financial statements that are reviewed by staff.
<p>Option 2:</p> <ul style="list-style-type: none"> Project required to submit annual, accountant-prepared annual financial statements that are reviewed by staff and a review panel, or third party.
<p>Option 3:</p> <ul style="list-style-type: none"> Option 1 or 2. Plus, for special cases in which financial disclosure is not available (ex. institutional investors), applicant will have the option to shorten the exemption, or make payments to the City.

Neighborhood Contact
<p>Objective: Protect, repair, and enhance neighborhoods to ensure a high level of livability.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> Prior to application, applicant must solicit comments from affected neighborhood organization
<p>Option 2:</p> <ul style="list-style-type: none"> Do not include in minimum threshold criteria, include in additional public benefit criteria

Application Fee
<p>Objective: Contribute to program administration and ongoing monitoring costs</p>
<p>Option 1:</p> <ul style="list-style-type: none"> \$500 paid with application submission Additional fee of 1/20 of 1% (.0005) of the project cost, not to exceed \$10,000, paid at completion of construction

MUPTE PROJECT: Additional Public Benefit Criteria

The following are options that could be considered as “additional public benefit criteria”, some of which each MUPTE project would be expected to meet to be considered for the maximum tax exemption available.

Local Hiring
<p>Objective: Promote local businesses and local hiring that lead our area to a higher level of economic prosperity.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> • Greater than 50 percent of total professional services, construction contracting, and jobs must be local (based in Oregon). • Applicant must submit a plan to hire minority, women, and emerging small businesses for professional services and construction contracting.
<p>Option 2: Applicant must submit a plan to hire local professional services and construction contractors, including plan to meet minority, women, and emerging small business hiring.</p>

Housing Type
<p>Objective: Create a mixture of housing types to meet the needs of all residents now and into the future.</p>
<p>Examples of Public Benefit Criteria:</p> <ul style="list-style-type: none"> • Home ownership units • Design units that are more traditional apartments (1 bedroom, 2 bedroom, family-sized), or easily converted to traditional apartments or ownership units. • Family-sized housing units (2+bedrooms configured as traditional apartments) • Inclusion of affordable housing units (or additional affordable housing units in the event that there is a minimum threshold requirement)

Location
<p>Objective: Increase the proportion of residents that live in 20-minute neighborhoods where residents can meet most of their daily needs near their homes without the use of the automobile. Promote efficient utilization of limited land resources through the redevelopment of properties that have existing site constraints and economic barriers.</p>
<p>Examples of Public Benefit Criteria:</p> <ul style="list-style-type: none"> • Located within the Downtown Plan Area • Located within economically disadvantaged areas (to be defined) • Located on a brownfield site • Located within close proximity to schools, groceries, and transit • Redevelopment of valuable historic property • Includes ground floor retail

Project Features
<p>Objective: Promote a more urban and sustainable form of development that meets the needs of the community and enhances neighborhood livability.</p>
<p>Examples of Public Benefit Criteria:</p> <ul style="list-style-type: none"> • Inclusion of open space or gathering space available to the community • Use of high quality materials • Exceeds ADA code requirements • Positively address neighborhood compatibility • Embedded or structured parking • Unit/Parking space ratio and optional parking space rental encourages alternative transportation • Additional bike parking, parking for shared vehicles and electric vehicles

MUPTE: Other Program Considerations

The following are options that could be considered in terms of the overall MUPTE program.

Boundary
<p>Objective: Implement Envision Eugene through the promotion of compact urban development and efficient transportation options, and the protection, repair, and enhancement of neighborhood livability.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> • Maintain existing Downtown Plan Area boundary
<p>Option 2:</p> <ul style="list-style-type: none"> • Expand existing boundary to include a few other targeted areas (for example, Trainsong and South Willamette)
<p>Option 3:</p> <ul style="list-style-type: none"> • Align boundary with Envision Eugene strategies to promote compact urban development and efficient transportation options (downtown, key transit corridors, and core commercial areas)

Program Volume
<p>Objective: Meet the community’s 20-year multi-family needs without compromising other community goals and desired outcomes.</p>
<p>Option 1:</p> <ul style="list-style-type: none"> • Cap the dollar amount of tax exemptions granted in any given year
<p>Option 2:</p> <ul style="list-style-type: none"> • Establish a rolling cap under which the program would be suspended when the total tax exemptions being received reach the cap • As exempt projects come onto the tax roll, availability under the cap would be created and new applications would be accepted
<p>Option 3:</p> <ul style="list-style-type: none"> • Cap the number of new units that are constructed with MUPTE, using Envision Eugene multi-family housing need as the target measurement

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: May 13, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

BACKGROUND

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Forum

Meeting Date: May 13, 2013
Department: City Manager's Office
www.eugene-or.gov

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

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: May 13, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3A
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 April 17, 2013, Work Session, April 22, 2013, Work Session, April 22, 2013, Meeting, and April 24, 2013, work session.

ATTACHMENTS

- A. April 17, 2013, Work Session
- B. April 22, 2013, Work Session
- C. April 22, 2013, Meeting
- D. April 24, 2013, Work Session

FOR MORE INFORMATION

Staff Contact: Kris Bloch
Telephone: 541-682-8497
Staff E-Mail: kris.d.bloch@ci.eugene.or.us

ATTACHMENT A

MINUTES

Eugene City Council
 Harris Hall, 125 East 8th Avenue
 Eugene, Oregon 97401

April 17, 2013
 12:00 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Chris Pryor, Claire Syrett

Mayor Piercy, opened the April 17, 2013 City Council work session. Councilor Zelenka attended via conference phone.

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

MOTION: Councilor Brown, seconded by Councilor Taylor made the following motion: "Because we value a government that is open, transparent and accountable, Council moves to direct the City Manager to direct the City Attorney to examine any electronic or verbal or communications held outside of public meetings by any elected or appointed government official regarding the status of Mr. Jack Roberts' continued employment as the Director of the Lane Metro Partnership and to provide to the Council as soon as practicable, an opinion whether of any of the governmental jurisdictions that provide financial support to the Lane Metro Partnership or any person otherwise connected to the Lane Metro Partnership may have violated public meeting laws regarding said communications. "

Councilor Brown asked Councilor Poling to recuse himself from this item because of a conflict of interest. Councilor Poling and City Attorney both indicated there was no conflict of interest.

Several councilors said they felt it was too soon to take any action and questioned whether the City of Eugene was the right agency to conduct an investigation. The Lane Metro Partnership Board of Directors will likely provide direction with regard to any change in leadership.

MOTION AND VOTE: Councilor Brown, seconded by Councilor Taylor, moved to table the vote on the main motion to another time. FAILED: 6:2, councilors Brown and Taylor in favor.

MAIN MOTION VOTE: FAILED 6:2, councilors Brown and Taylor in favor.

B. WORK SESSION: What's New in Downtown - Spring/Summer 2013

Sarah Medary, Denny Braud, Lt. Eric Klinko, and Billie Moser provided updates from their respective departments on what's going on in downtown Eugene. They highlighted development and redevelopment projects, public safety initiatives, and arts and cultural activities that are in progress or being planned.

Item 3.A.

Sarah Medary provided a brief forecast of upcoming items related to downtown:

- EWEB Master Plan
- Shedd expansion
- Downtown Exclusion Zone
- LCC non-smoking area
- Dogs downtown

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT B

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**April 22, 2013
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, Greg Evans, George Poling, Mike Clark, Claire Syrett , Chris Pryor

Mayor Piercy opened the April 22, 2013, City Council Work Session.

A. WORK SESSION: Multi-Unit Property Tax Exemption (MUPTE) Program

Urban Services Manager Denny Braud gave a presentation showing comparisons between Portland and Eugene’s tax exemption programs for affordable housing.

Discussion and comments & ideas:

- Affordable housing is important; create community benefit options and incentives to developers.
- City sizes are different – one size doesn’t fit all, especially in Eugene.
- Administrative costs will be higher with more oversight and a more complex process.
- Require hiring local workers to the degree possible.
- Green building requirements are important.
- Emergency shelter money should be part of the payment – as a community benefit.
- Increase application fee.
- Overhaul Eugene’s scoring mechanism.
- Give extra points for local hiring and for women or minority owned businesses.
- Competition is good - developers will work harder at the community benefit component.
- Financial reporting is important from a budgeting perspective.
- Tiered program with incentives more effective than a flat 10-year exemption.
- Maximize commercial retail in the area.
- Develop a point system to benefit the community most.
- Legal review is important.
- Minimum thresholds should be set.
- Reporting components are important.

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

ATTACHMENT C

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**April 22, 2013
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, Greg Evans, George Poling, Mike Clark, Chris Pryor, Claire Syrett

Mayor Piercy opened the April 22, 2013, City Council meeting.

1. CEREMONIAL MATTERS

A moment of silence was observed for Officer Chris Kilcullen, killed two years ago today, and for the victims of the Boston bombings.

The members of the University of Oregon Women's Track Team were honored for winning the 2013 NCAA Women's Indoor Track Championship.

2. PUBLIC FORUM

Lee Deveau ,Ward 7, wanted the camping policy changed so that sleeping outside is legal.

Dennis Maricle, asked the council to modify its policy so sleeping on public land is legal.

Barb Prentice, noted that a female officer must be requested prior to an arrest search.

Jerry Smith, expressed support for legalizing outdoor sleeping.

Lawrence Siskind, asked council to modify the sleeping ban, and provide bathrooms/garbage service.

Leslie Robnette, said police should arrest criminals, not go after homeless people.

Ted Drummond, asked the council to help homeless people.

Jill Davidson, encouraged community to help homeless people.

Gwendolyn Iris, asked why Grateful Dead concert created an emergency, when homelessness doesn't.

Alley Valkyrie, related historical information about homeless vets locating in Sladden Park.

Terrill Purvis, asked the council to help homeless people.

David Ivan Piccione, requested that council change its policy so sleeping is legal.

Michael Carrigan, said there are common sense solutions to address homelessness.

Mark Hubbell, voiced frustration about the homeless situation and said he hopes for change.

Tribal, said sleeping is a protected constitutional right.

Mary Sharon Moore, voiced concern about the sleeping ban and requested a change to the policy.

Joella Ewing, asked that the camping policy be changed so that sleeping is legal.

Ann Kelvin, noted that Opportunity Village will only house 30 people; more is needed.

Robin Bloomgarden, noted that Ordinance. 2446 permitted camping in parks.

Emily Semple, said people need to sleep and asked council to reflect on their situations.

Jennifer Adams, asked the council to help the homeless.

Jason Wellman, said the recent homeless arrests violated Article 25 of the constitution.

Wayne Martin, noted the recent visit by the Dalai Lama, and requested a change to camping laws.

Jennifer Frenzer, asked the City change its policy regarding use of female officers for search.
Scotty Perey, said the arrests under bridge were illegal, and violated policy and code.
Jean Stacey, asked the council to make changes so homeless people can live freely.
John Monroe, said bad behavior has been our history, and EPD's actions are no different.
Hedin Manus Brugh, said history of social cleansing in Eugene is now being repeated.
Helen Liguori, noted that camping was once allowed in Alton Baker Park for Grateful Dead concert.
Sabra Marcroft, noted it was Earth Day and asked everyone to work together.
M. Brooke Robertshaw, supported efforts to change the camping law.
Reagan Clark, voiced concern about economy, homelessness, and inadequate housing.
Joe Tyndall, said homelessness needs to be addressed; asked council to set aside a piece of land.
Heather Marek, said the camping law criminalizes sleep, and is unequally enforced.

3. CONSENT CALENDAR

- A. Approval of City Council Minutes**
- B. Approval of Tentative Working Agenda**

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to approve the items on the Consent Calendar. PASSED 8:0.

4. ACTION:

2013/14 Funding Allocations for Federal Community Development Block Grant and HOME Investment Partnerships Programs

Several concerns were raised about what some councilors felt was an inordinately high administration fee. Staff explained that the fee supports many aspects of the program and has remained steady at its current rate for the last decade, with no increase, despite increased workload.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to approve the One-Year Action Plan for use of Federal CDBG and Home funds in fiscal year 2013-14. PASSED: 8:0.

5. ACTION:

Ratification of Intergovernmental Relations Committee Actions of March 13, March 20 and April 3, 2013

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved that the council take a position of support, Priority 1 on Council Bill HJ8. PASSED: 7:1, Councilor Clark opposed.

MOTION: Councilor Poling, seconded by Councilor Clark, moved that the City Council take a position of Support Priority 2 on Senate Bill 670. (It was noted that a potential loss of revenue is a concern and asked staff for information about what the revenue loss details might be.)

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Pryor, moved to table this item. PASSED: 5:3, Councilors Poling, Clark and Brown opposed.

Staff noted one correction in the Agenda Item Summary: HB 2857 should be listed as Priority 1 support, not opposed.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to ratify the IGR Committee's unanimous actions taken at the meetings on March 13, March 20 and April 3, 2013. PASSED: 8:0.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

ATTACHMENT D**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**April 24, 2013
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, Mike Clark, Greg Evans, Chris Pryor, Claire Syrett

Councilors Absent: George Poling

Mayor Piercy opened the April 24, 2013, work session of the Eugene City Council. Noting the importance of the homeless camping issue, City Manager Jon Ruiz said Planning staff would reschedule the Metro Plan Boundary Adjustment Proposal item.

A. WORK SESSION: Multi-Unit Property Tax Exemption (MUPTE)

City Attorney Glenn Klein explained that the current MUPTE suspension expires in June 2013. To avoid a gap in program activity, council action needs to be taken to either implement a new program or extend the suspension date of the current program until changes can be made.

MOTION: Councilor Brown, seconded by Councilor Taylor, moved to direct staff to extend the MUPTE suspension until October 1, 2013.

SUBSTITUTE MOTION and VOTE: Councilor Syrett, seconded by Councilor Clark, moved to substitute to extend the suspension until the end of July 2013. PASSED 5:2, councilors Brown and Taylor opposed.

VOTE ON MAIN MOTION AS AMENDED: PASSED 5:2, councilors Brown and Taylor opposed.

Councilor Brown asked when the council would receive the City Manager's recommendation on the MUPTE application for "The Hub" student housing project. The City Manager indicated he would have an answer soon.

B. WORK SESSION: Homeless Camping in Parks and Open Spaces

Acting Parks and Open Space Director Mark Schoening gave a presentation that highlighted some of the challenges his division has related to homeless camping in parks, wetlands or sensitive environmental areas and in open spaces impacted by campers.

Council Discussion:

- Take incremental, deliberate steps in addressing homeless issues(s).
- Consider allowing dusk to dawn safe sleeping on vacant city-owned land that is not environmentally sensitive.
- Allow a trial period to see if the proposed changes will help address issues for homeless people.

Item 3.A.

- Explore potential for private property owners to help address this problem by allowing camping on their property.
- Work collaboratively (network) with local businesses, faith communities, etc. to partner in efforts to place more homeless people on private land or at authorized locations.
- Transition homeless people into new areas in a sensitive and humane way.
- Acknowledge that sanitation is a real problem.
- Important to strike a balance between impact and addressing needs.

MOTION and VOTE: Councilor Pryor, seconded by Councilor Evans, moved to extend the meeting by 10 minutes. PASSED 7:0.

MOTION: Councilor Zelenka, seconded by Councilor Syrett, moved to direct the City Manager to bring back an ordinance that would allow people to sleep undisturbed and camp overnight from 10 p.m. – 7 a.m. on vacant City of Eugene-owned lands, but not including improved park land or sensitive environment open spaces, with staff to bring back a specific list of allowable sites, and on religious institution or non-profit organization properties if they allow it. This shall be a pilot program for 120 days and council shall then review the pilot program and assess whether or not to continue the ordinance.

A friendly amendment to include commercial and industrial properties if they allow it was accepted.

MOTION TO TABLE AND VOTE: Councilor Taylor, seconded by Councilor Clark, moved to table the discussion until the May 8th City Council meeting. FAILED: 2:5, councilors Taylor and Clark in favor.

VOTE ON MAIN MOTION: PASSED 7:0.

Councilor Clark requested the following information:

1. What kind of liability would the City have if it allowed public camping on City-owned property?
2. Where would the money come from to pay for the services needed to support a camping effort?

The meeting adjourned at 1:40 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: May 13, 2013
Department: City Manager’s Office
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, “The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business.” Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER’S RECOMMENDATION

Staff has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

MAY 13	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: Chamber of Commerce, HPB, LRAPA, MWMC		30 mins
B. WS: MUPTE Program		60 mins – PDD/Braud
7:30 p.m.	Expected Absences:	
Harris Hall		
1. Ceremonial Matters		CS/Forrest
2. Public Forum		CS/Forrest
3. Consent Calendar		PW/Huberd
a. Approval of City Council Minutes		CS/Gardner
b. Approval of Tentative Working Agenda		PDD/Hansen
c. FY14 MWMC Budget Ratification		
4. Action: Ratification of Intergovernmental Relations Committee Actions		
5. WS: Metro Plan Boundary Adjustment (Springfield side)		
MAY 14	TUESDAY	
5:30 p.m.	Boards, Commissions, and Committees Interviews	
Atrium-Saul Room	Expected Absences:	
A. Interviews for Boards and Commissions Vacancies		
MAY 15	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: EWEB Master Plan		90 mins - PDD/Flock
MAY 20	MONDAY	** NOTE: MEETING TIME CHANGED **
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
1. WS: Homeless Camping		90 mins – PW/Schoening
MAY 22	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: MUPTE Program		90 mins – PDD/Braud
MAY 23	THURSDAY	** NOTE: MEETING ADDED **
5:30 p.m.	Budget Committee	
Bascom-Tykeson Room	Expected Absences: Piercy	
1. City Manager's FY14 Proposed Budget Presentation		
MAY 28	TUESDAY	** NOTE: LOCATION CHANGE **
5:30 p.m.	Budget Committee	
Bascom-Tykeson Room	Expected Absences:	
1. Budget Deliberation		
7:30 p.m.	Council Meeting	
Bascom-Tykeson Room	Expected Absences:	
1. Pledge of Allegiance to the Flag (Memorial Day)		
2. Public Forum		
3. Consent Calendar		

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

- | | |
|----------------------------------------------|------------|
| a. Approval of City Council Minutes | CS/Forrest |
| b. Approval of Tentative Working Agenda | CS/Forrest |
| 4. PH: Ordinance Extending MUPTTE Suspension | PDD/Braud |

MAY 29	WEDNESDAY	
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- | | | |
|--------------------------------------------------|----------------------------------|---------------------|
| Noon | Council Work Session | |
| Harris Hall | Expected Absences: Syrett | |
| A. Action: Ordinance Extending MUPTTE Suspension | | 30 mins - PDD/Braud |
| B. WS: Core Campus Housing | | 60 mins – PDD/ |

MAY 30	THURSDAY	** NOTE: MEETING ADDED **
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- | | | |
|----------------------------|---------------------------|--|
| 5:30 p.m. | Budget Committee | |
| Bascom-Tykeson Room | Expected Absences: | |
| 1. Budget Deliberation | | |

JUNE 4	TUESDAY	** NOTE: MEETING ADDED **
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|----------------------------|---------------------------|--|
| 5:30 p.m. | Budget Committee | |
| Bascom-Tykeson Room | Expected Absences: | |
| 1. Budget Deliberation | | |

JUNE 5	WEDNESDAY	** NOTE: MEETING ADDED **
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|-----------------------------------------------------------------|---------------------------|--|
| 5:30 p.m. | Budget Committee | |
| Bascom-Tykeson Room | Expected Absences: | |
| 1. Public Hearing & Final Action/Recommendation to City Council | | |

JUNE 10	MONDAY	
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- | | | |
|-----------------------------------------------------------------------------------------------------|-----------------------------|----------------|
| 5:30 p.m. | Council Work Session | |
| Harris Hall | Expected Absences: | |
| A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed | | 60 mins – PDD/ |
| B. WS: Core Campus Housing | | |

- | | | |
|------------------------------------------------|---------------------------|-----------------------|
| 7:30 p.m. | Council Meeting | |
| Harris Hall | Expected Absences: | |
| 1. Pledge of Allegiance to the Flag (Flag Day) | | |
| 2. Public Forum | | |
| 3. Consent Calendar | | |
| a. Approval of City Council Minutes | | CS/Forrest |
| b. Approval of Tentative Working Agenda | | CS/Forrest |
| 4. WS: Police Auditor Annual Report | | 45 mins – PA/Gissiner |

JUNE 12	WEDNESDAY	
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|-------------------------|-----------------------------|---------------------|
| Noon | Council Work Session | |
| Harris Hall | Expected Absences: | |
| A. WS: EWEB Master Plan | | 90 mins – PDD/Flock |

JUNE 17	MONDAY	
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- | | | |
|----------------------------------------------|-------------------------------|-----------|
| 7:30 p.m. | Council Public Hearing | |
| Harris Hall | Expected Absences: | |
| 1. PH: EWEB Master Plan | | PDD/Flock |
| 2. PH: Ordinance on MUPTTE Program Revisions | | PDD/Braud |

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

JUNE 19	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: South Willamette Street Improvement Plan		45 mins – PW/Henry
B. WS: Envision Eugene Implementation: South Willamette Concept Plan		45 mins – PDD/Thomas, Hostick

JUNE 24	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		15 mins
B. Action: Ordinance Revising MUPTTE Program		30 mins – PDD/Braud
C. WS: Safe Demolition Protocols		45 mins - PDD/Ramsing

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. PH: FY14 Proposed Budget		CS/Cariaga
4. PH: FY13 June Supplemental Budget		CS/Cariaga
5. PH: FY14 URA Proposed Budget		CS/Cariaga
6. PH: FY13 URA June Supplemental Budget		CS/Cariaga
7. Action: FY14 Proposed Budget		CS/Cariaga
8. Action: FY13 June Supplemental Budget		CS/Cariaga
9. Action: FY14 URA Proposed Budget		CS/Cariaga
10. Action: FY13 URA June Supplemental Budget		CS/Cariaga

JUNE 26	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences: Taylor	
A. WS: Police Auditor Performance Evaluation		45 mins – CS/Smith
B. WS:		

JULY 8	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC		30 mins
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Pledge of Allegiance to the Flag (Independence Day)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

JULY 10	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: EWEB Master Plan		90 mins - PDD/Flock

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

JULY 15	MONDAY
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7:30 p.m.	Council Public Hearing
Harris Hall	Expected Absences:
1. PH:	

JULY 17	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences: Piercy	
A. WS: City Manager Performance Evaluation		45 mins – CS/Smith
B. WS:		

JULY 22	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS: EWEB Master Plan		60 mins - PDD/Flock

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

JULY 24	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

JULY 31	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

COUNCIL BREAK: August 1, 2013 – September 9, 2013

SEPTEMBER 9	MONDAY
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5:30 p.m.	Council Work Session
Harris Hall	Expected Absences:
A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed	
B. WS:	

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

SEPTEMBER 11	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS:		
B. WS:		
SEPTEMBER 16	MONDAY	
7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH:		
SEPTEMBER 18	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS:		
B. WS:		
SEPTEMBER 23	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS:		
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
SEPTEMBER 25	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS:		
B. WS:		
OCTOBER 9	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS:		
B. WS:		
OCTOBER 14	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC		30 mins
B. WS:		
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

OCTOBER 16	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

OCTOBER 21	MONDAY
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7:30 p.m.	Council Public Hearing
Harris Hall	Expected Absences:
1. PH:	

OCTOBER 23	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences: Piercy
A. WS:	
B. WS:	

OCTOBER 28	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

OCTOBER 30	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

NOVEMBER 12	TUESDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: Chamber of Commerce, HPB, LRAPA, MWMC,		
B. WS: Update on Plastic Bag Ban Ordinance		45 mins – PDD/Nelson

7:30 p.m.	Expected Absences:	
Harris Hall		
1. Pledge of Allegiance to the Flag (Veterans Day)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 8, 2013

NOVEMBER 13	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

NOVEMBER 18	MONDAY
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7:30 p.m.	Council Public Hearing
Harris Hall	Expected Absences:
1. PH:	

NOVEMBER 20	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

NOVEMBER 25	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

NOVEMBER 27	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	

DECEMBER 9	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed		
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

DECEMBER 11	WEDNESDAY
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Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Ratification of the Metropolitan Wastewater Management Commission (MWMC) FY14 Regional Wastewater Program Budget and Capital Improvements Program

Meeting Date: May 13, 2013
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: 3C
 Staff Contact: John Huberd
 Contact Telephone Number: 541-682-8603

ISSUE STATEMENT

This agenda item relates to the ratification of the FY14 budget for the regional wastewater program serving the Eugene/Springfield metro area, as established under the 1977 Intergovernmental Agreement (IGA) between the City of Eugene, the City of Springfield, and Lane County. The regional wastewater program is managed by the Metropolitan Wastewater Management Commission (MWMC) pursuant to the provisions of the IGA. The regional wastewater budget provides funds for all regional operations, maintenance, administration, and capital project management and implementation for regional facilities. These include the Eugene/Springfield Water Pollution Control Facility, the Biosolids Management Facility, the Biocycle Farm, the Reclaimed Water Facility, and regional wastewater pump stations.

BACKGROUND

The purpose of the regional wastewater program is to protect public health and safety and the environment by providing high quality wastewater management services to the Eugene/Springfield metropolitan area. The MWMC and the regional partners are committed to providing these services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs while meeting customer service expectations.

The commission and the regional wastewater program staffs have worked together to identify the following key outcomes:

1. High environmental standards.
2. Fiscal management that is effective and efficient.
3. A successful intergovernmental partnership.
4. Maximum reliability and useful life of regional assets and infrastructure.
5. Public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives for maintaining water quality and a sustainable environment.

These key outcomes and goals are in direct alignment with the City of Eugene Council goals.

Every year MWMC develops a budget that covers resource needs of the operations, maintenance, and capital improvement activities for the regional wastewater program. These activities are divided between Eugene and Springfield. The regional budget combines the portions of the City of Eugene and City of Springfield budgets that are dedicated to the regional wastewater program.

The commission conducted a public hearing on the proposed draft budget for FY14 and subsequently adopted the budget on April 12, 2013. The commission's adopted budget is available at the City Manager's Office and online at <http://www.eugene-or.gov/DocumentCenter/View/12058>. The budget reflects the continuing focus on design and construction of capital improvements in the approved 2004 Facilities Plan. The Plan identified improvements needed to ensure the operation of the Regional Wastewater Facilities meets increasing environmental regulations. The improvements identified in the Plan also ensure the collection and treatment capacity will be available to provide for growth in the service area. The adopted budget includes the financial resources necessary to support the regional program. The personnel, operations and maintenance, and capital budget increases by 1.1 percent from the FY13 budget.

During the April 12 meeting, the commission approved an overall three percent increase in the regional wastewater user rates to generate revenue for the proposed budget and, pursuant to the recommendations of the MWMC financial advisor, to address needs for future Capital Improvement Program (CIP) financing consistent with the Commission's Financial Plan policies and net revenue objectives. The revenues generated by the user rate increase are consistent with the MWMC's approved financial plan to maintain an unenhanced credit rating of A and adequately fund operations, administration, capital financing, debt service, and reserves.

RELATED CITY POLICIES

This action item is related to the City Council goals of "Sustainable Development," "Effective, Accountable, Municipal Government" and "Fair, Stable and Adequate Financial Resources."

COUNCIL OPTIONS

1. Approve motion to ratify the FY14 MWMC budget.
2. Return the FY14 MWMC Regional Wastewater Program Budget and Capital Improvements Program to MWMC with specific requests for modification and reconsideration.

CITY MANAGER'S RECOMMENDATION

Ratify the proposed FY14 MWMC Budget and Capital Improvements Program.

SUGGESTED MOTION

Move to ratify the FY14 MWMC Budget.

ATTACHMENTS

- A. Transmittal Letter
- B. MWMC FY14 Proposed Regional Wastewater Program Budget and Capital Improvements Program – Copy Available in City Manager's Office and online at <http://www.eugene-or.gov/DocumentCenter/View/12058>

FOR MORE INFORMATION

Staff Contact: John Huberd, Finance and Administration Manager, Wastewater Division
Telephone: 541-682-8603
Staff E-Mail: john.c.huberd@ci.eugene.or.us

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Metropolitan Wastewater Management Commission



partners in wastewater management

*MWMC
Commission*

May 2, 2013

Marilee Woodrow
Springfield City Councilor
MWMC President

Mr. Jon Ruiz, City Manager
City of Eugene
777 Pearl Street
Eugene, OR 97401

Faye Stewart
Lane County Commissioner
MWMC Vice-President

George Brown
Eugene City Councilor

Subject: Metropolitan Wastewater Management Commission (MWMC)
2013-14 Regional Wastewater Program (RWP) Budget and
Capital Improvements Program (CIP)

Bill Inge
Lane County Citizen

Dear Mr. Ruiz:

Hilary Loud
Eugene Citizen

On April 12, 2013 the MWMC held a public hearing on the fiscal year (FY) 2013-14 Regional Wastewater Program (RWP) Budget and Capital Improvements Program (CIP). At this meeting, the FY 2013-14 RWP Budget and CIP were approved. The RWP Budget funds operating and capital project requirements, and maintains targeted contributions to reserves.

Doug Keeler
Springfield Citizen

Walt Meyer
Eugene Citizen

Consistent with the Intergovernmental Agreement, the RWP Budget and CIP need to be ratified by the governing bodies of Eugene, Springfield and Lane County prior to final adoption by MWMC. Please forward the enclosed budget and CIP documents to the Eugene City Council for their consideration on May 13, 2013. If I can be of any additional assistance, please contact me at 726-3694.

Administration

Ron Bittler
MWMC General Manager
City of Springfield
225 Fifth Street
Springfield, Oregon 97477
(541) 726-3694
FAX (541) 726-2309

Thank you for your consideration and assistance in this matter.

Sincerely,

Ron Bittler
MWMC General Manager

Operations

Michelle Cahill
Director of Wastewater Div
City of Eugene
410 River Avenue
Eugene, Oregon 97404
(541) 682-8600
FAX (541) 682-8601

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: Approval of Support Position for Senate Bill 306-A

Meeting Date: May 13, 2013
 Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 4
 Staff Contact: Lisa Gardner
 Contact Telephone Number: 541-682-5245

ISSUE STATEMENT

This is an action item requesting council approval to lobby in favor of Senate Bill 306-A, a bill to direct Oregon Department of Revenue to study the impacts of a carbon tax in Oregon.

BACKGROUND

This item is being brought directly to the full council for consideration of a support position. As of the writing of this agenda item summary, the amended bill language is still being drafted, and will be forwarded to the council as soon as it is available.

The Eugene Water & Electric Board is seeking support in lobbying for approval of Senate Bill 306-A. The bill, as amended, would direct the Oregon Department of Revenue to study the impacts of a carbon tax in Oregon on businesses, consumers, and groups that may be uniquely affected, for example low-income Oregonians, energy intensive industries, urban versus rural impacts, etc. The study report will be delivered to the 2014 State Legislature.

It is extremely likely that a legislature or Governor-appointed task force will be formed in 2014, or some alternative, to recommend whether or not a carbon pricing mechanism makes sense for Oregon, what types of challenges and fairness issues exist, and how those might be mitigated. Without SB 306, very little data and research into these issues would be available to inform the legislature. With SB 306, the legislature will be able to make a more informed decision whether or not to proceed with the development and how to do it in the best interests of maintaining economic competitiveness and fairness to affected groups and areas.

Although it not clear yet how study scope will assess regional impacts within Oregon, the study could help inform the Eugene City Council as to what impact a carbon price could have locally. Given the relatively lower carbon footprint of Eugene due to the legacy of planning efforts from the City and EWEB, the community could potentially be more economically competitive within Oregon once greenhouse gas emissions externalities are priced and internalized, reflecting their true cost.

A carbon pricing approach could also likely avoid preemption of local decision-making and unfunded mandates for local governments.

RELATED CITY POLICIES

Support for this bill is consistent with the Climate Energy Action Plan, and the 2009 Council goal that all City-owned facilities and City operations shall be “carbon neutral” by 2020 (i.e. shall reduce net carbon emissions to zero, or if that is not possible, cancel all remaining scope 1 and scope 2 emissions through the funding of approved local offset mechanisms or the purchase of approved high-quality carbon offsets).

COUNCIL OPTIONS

The council may approve a support position for Senate Bill 306-A, may oppose Senate Bill 306-A, may take no action, or may otherwise direct staff regarding the City’s position on this bill.

CITY MANAGER’S RECOMMENDATION

The City Manager recommends council support Senate Bill 306-A, and direct staff to work with the Eugene Water & Electric Board to lobby a support position on this bill.

SUGGESTED MOTION

Move to approve a Support position for Senate Bill 306-A.

FOR MORE INFORMATION

Staff Contact: Lisa Gardner
Telephone: 541-682-5245
Staff E-Mail: lisa.a.gardner@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Metro Plan Boundary Adjustment Proposal (Springfield Side)

Meeting Date: May 13, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5
 Staff Contact: Alissa Hansen
 Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

This work session provides an opportunity to update the City Council on the proposed Metro Plan boundary amendment to adjust the boundary on the Springfield side of the plan, prior to taking action at a subsequent meeting.

BACKGROUND

In 2011, the Lane County Board of Commissioners initiated an amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) to make adjustments to the boundary of the Metro Plan. This proposal is directly related to five areas of concern previously identified by the board and discussed by the joint elected officials over the past few years. The purpose of this particular amendment is to seek jurisdictional autonomy on land use matters for those areas that are outside the urban growth boundaries of Springfield and Eugene, but currently inside the Metro Plan boundary.

The current Metro Plan amendment under consideration is to reduce the size of the Metro Plan boundary on the east side of I-5, with a resulting Metro Plan boundary that would be coterminous with Springfield's urban growth boundary (UGB). Approval of this amendment would result in Lane County having sole jurisdictional authority on all land use matters for land outside of Springfield's UGB that is currently within the Metro Plan. Copies of the current and proposed Metro Plan boundary are provided as Attachments A and B. **Adjustment of the Metro Plan boundary on the Eugene side is not part of the current proposal.**

Based on the Metro Plan's amendment procedures, Eugene is required to participate in this proposal to adjust the boundary on the Springfield side. The process includes a joint planning commission public hearing and recommendation, followed by a joint elected official's public hearing and action. All three jurisdictions must approve the same Metro Plan boundary location for the proposal to take effect.

In July 2011, the joint planning commissions of Lane County, Springfield and Eugene held the required public hearing, and held a continued hearing in August 2011. Following the close of the public hearing record, the three planning commissions met jointly in October 2011 for

deliberations and to provide recommendations to their respective elected officials. The Eugene Planning Commission voted 3-2 to recommend approval of the proposal to the Eugene City Council. A public hearing before the joint elected officials was held March 13, 2012. A total of 13 people testified at the joint public hearing. Of those testifying, one person testified in support of the proposal, two people expressed concerns or had questions about the impact, and the remaining 10 people testified in opposition to the proposed amendment. Those in opposition to the amendment expressed concern about the loss of regional planning and collaborative decision making, risk to water quality, and loss of decision making authority for the City.

Subsequently, the City of Springfield, Lane County and the Springfield Utility Board worked together to reach an acceptable solution to ensure that Springfield's drinking water sources that fall within this area would remain adequately protected once removed from the Metro Plan boundary. On March 18, 2013, the Springfield City Council voted 6 to 0 to approve the amendment to reduce the Metro Plan boundary to become coterminous with Springfield's urban growth boundary (UGB). This action, if approved by all three jurisdictions, would affect approximately 8,130 acres, all of which would come under the jurisdiction of Lane County and the Lane County Rural Comprehensive Plan, except that specific issues related to drinking water protection would remain a joint-governance matter between the Lane County Board of Commissioners and the Springfield City Council.

The Springfield City Council also voted 6 to 0 to approve the provisions of an Intergovernmental Agreement (IGA) between the City of Springfield and Lane County regarding a number of land use matters, but principally actions to protect Springfield Utility Board drinking water source areas. A copy of the draft IGA is provided as Attachment C.

The Lane County Board of Commissioners has tentatively approved the proposal, and is scheduled to take final action on June 4, 2013, after both cities have taken action.

As noted above, this proposal only pertains to the Springfield side of the Metro Plan Boundary. The scope and timing of a future Lane County-initiated proposal to amend the boundary on the Eugene side of the Metro Plan has not been established, and will be subject to a separate public process.

RELATED CITY POLICIES

Eugene-Springfield Metropolitan Area General Plan

COUNCIL OPTIONS

No formal action is required at this time. Council action will be scheduled for a subsequent meeting; options will be provided at that time.

CITY MANAGER'S RECOMMENDATION

No action is required on this item. Therefore, no recommendations are offered by the City Manager. Council action will be scheduled for a subsequent meeting; the City Manager will

provide a recommendation at that time.

SUGGESTED MOTION

No action is required on this item. Therefore, no motions are suggested. Council action will be scheduled for a subsequent meeting; a suggested motion will be provided at that time.

ATTACHMENTS

- A. Map of Current Metro Plan Boundary
- B. Map of Proposed Metro Plan Boundary
- C. Draft Intergovernmental Agreement between City of Springfield and Lane County

FOR MORE INFORMATION

Staff Contact: Alissa Hansen
Telephone: 541-682-5508
Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

ATTACHMENT A
**Eugene-Springfield
 Metropolitan Area
 General Plan
 Plan Diagram**

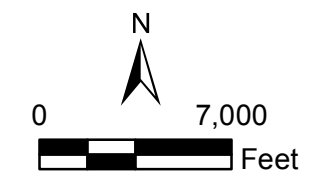
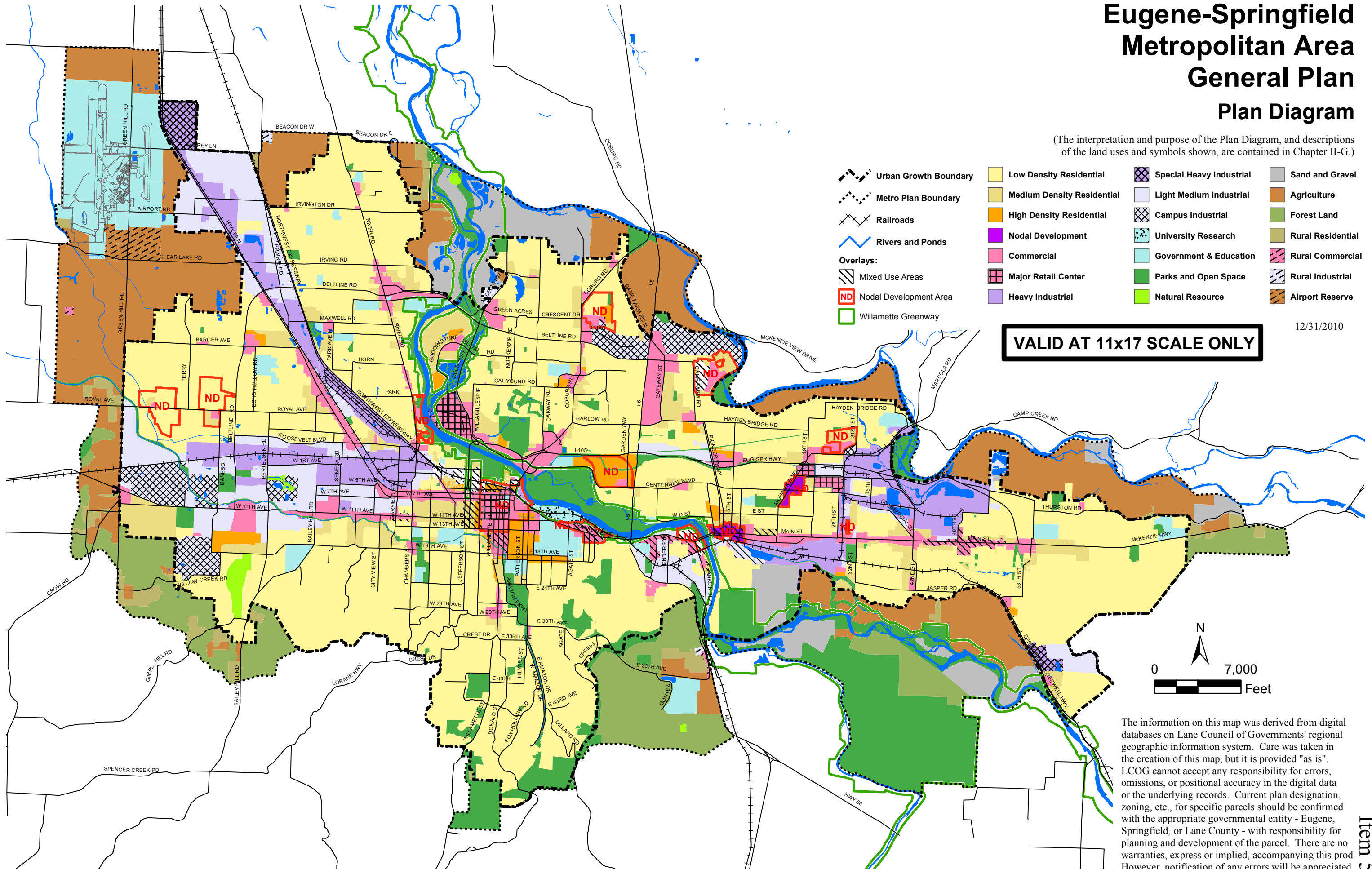
(The interpretation and purpose of the Plan Diagram, and descriptions of the land uses and symbols shown, are contained in Chapter II-G.)

- | | | | | | | | |
|------------------|------------------------|--|----------------------------|--|--------------------------|--|-------------------|
| | Urban Growth Boundary | | Low Density Residential | | Special Heavy Industrial | | Sand and Gravel |
| | Metro Plan Boundary | | Medium Density Residential | | Light Medium Industrial | | Agriculture |
| | Railroads | | High Density Residential | | Campus Industrial | | Forest Land |
| | Rivers and Ponds | | Nodal Development | | University Research | | Rural Residential |
| Overlays: | | | Commercial | | Government & Education | | Rural Commercial |
| | Mixed Use Areas | | Major Retail Center | | Parks and Open Space | | Rural Industrial |
| | Nodal Development Area | | Heavy Industrial | | Natural Resource | | Airport Reserve |
| | Willamette Greenway | | | | | | |

VALID AT 11x17 SCALE ONLY

12/31/2010

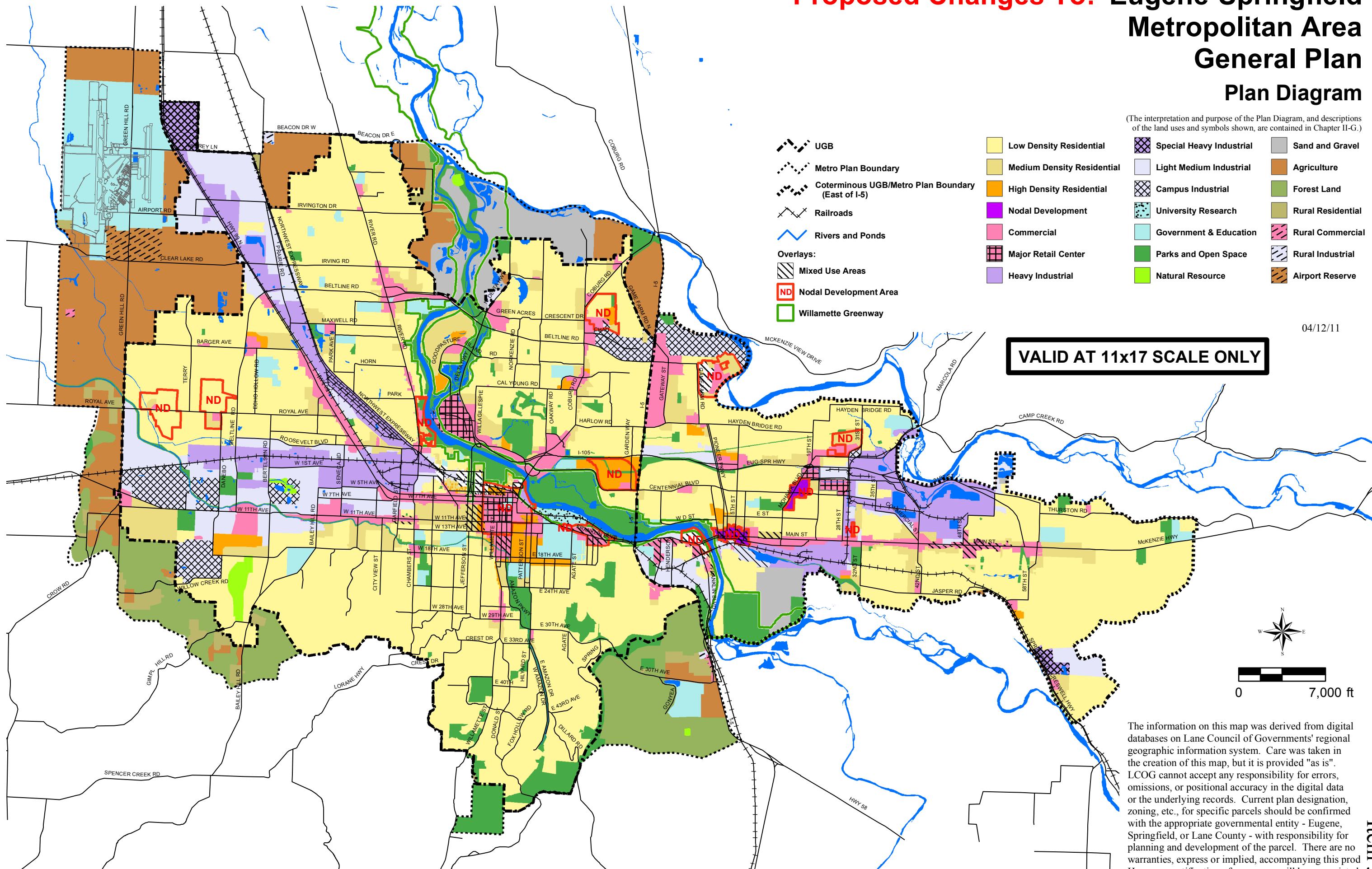
-51-



The information on this map was derived from digital databases on Lane Council of Governments' regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". LCOG cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate governmental entity - Eugene, Springfield, or Lane County - with responsibility for planning and development of the parcel. There are no warranties, express or implied, accompanying this product. However, notification of any errors will be appreciated.

Item 5.

Proposed Changes To: Eugene-Springfield Metropolitan Area General Plan Plan Diagram



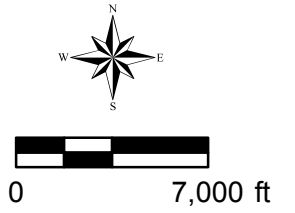
(The interpretation and purpose of the Plan Diagram, and descriptions of the land uses and symbols shown, are contained in Chapter II-G.)

- UGB
- Metro Plan Boundary
- Coterminous UGB/Metro Plan Boundary (East of I-5)
- Railroads
- Rivers and Ponds
- Overlays:
 - Mixed Use Areas
 - ND Nodal Development Area
 - Willamette Greenway
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Nodal Development
- Commercial
- Major Retail Center
- Heavy Industrial
- Special Heavy Industrial
- Light Medium Industrial
- Campus Industrial
- University Research
- Government & Education
- Parks and Open Space
- Natural Resource
- Sand and Gravel
- Agriculture
- Forest Land
- Rural Residential
- Rural Commercial
- Rural Industrial
- Airport Reserve

04/12/11

VALID AT 11x17 SCALE ONLY

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Item 5.

INTERGOVERNMENTAL AGREEMENT METRO PLAN BOUNDARY

BETWEEN: The City of Springfield ("City")
a municipal corporation of the state of Oregon

AND: Lane County ("County")
a political subdivision of the state of Oregon

EFFECTIVE DATE: Subject to Section 1.B. and D. below, this Agreement is effective
_____, 2013

RECITALS:

1. City and County, in the administration of their comprehensive planning responsibilities, jointly adopted the Eugene-Springfield Metropolitan Area General Plan (2004 update) (the "Plan").
2. Key elements of the Plan include certain boundaries that define responsibilities regarding land use including the Metropolitan Area General Plan (2004 update) Boundary (the "Boundary"), the Urban Growth Boundary (the "UGB"), and the city limits (the "city limits").
3. Since adoption, the Plan's boundary has included land beyond the UGB which is a unique feature of the Plan and not required by Oregon land use laws.
4. In 2011, Lane County and City amended the UGB east of I-5 to make it site specific.
5. In June of 2011, the County submitted a notice of proposed Post-Acknowledgment Plan Amendment (PAPA) to the Department of Land Conservation and Development (DLCD) seeking to relocate the Plan Boundary located east of I-5 to be coterminous with the City's site specific Urban Growth Boundary.
6. On October 25, 2011, the City of Springfield's Planning Commission recommended approval of County's proposed PAPA provided an agreement between the City and the County to address the concerns of the Springfield Utility Board (SUB) about protecting the City's drinking water was included as part of the amendment.
7. On March 13, 2012, the elected officials of the City, the County and the City of Eugene, conducted the initial public hearing of the joint elected officials on this proposal, SUB staff provided testimony in opposition to this proposal if specific provisions to protect the City's drinking water were not included as a part of the amendment.

8. City and County representatives have met on several occasions to discuss possible alternatives to the County's proposal in an effort to address the County's concern about constituent representation and the City's concern about preserving its existing authority in the Metro Plan regarding decisions in the land between the UGB and Metro Plan Boundary in order to protect the City's drinking water.

9. As a result of these conversations, the City and County have agreed that it is in the long-term interest of both governments and their respective constituents to establish a logical relationship between the Metro Plan Boundary and the Rural Comprehensive Plan Boundary.

10. Springfield Utility Board (SUB) wellhead protection areas outside of the City UGB have been delineated by SUB and certified by the Oregon Health Authority pursuant to OAR chapter 333, Division 61, by the Public Health Division of the Oregon Health Authority under Certificate Number 2, and, pursuant to OAR 660-023-0140 (5)(a) are eligible for recognition and inclusion on adopted Goal 5 inventories as a significant groundwater resource.

11. The parties now agree that a Boundary based upon the City's UGB would provide the desired logical relationship, with further agreement preserving the City's joint governance over the sensitive time of travel zones mapped on the Springfield Drinking Water Protection Plan that are within the present Metro Plan boundary until such time as a drinking water protection plan is in place. Such areas are shown on Exhibit A .

12. The parties further agree that in order to protect the City's drinking water source, certain areas outside the current UGB but within the sensitive time of travel zones should be evaluated for inclusion within the City's UGB.

13. ORS 190.010 and the Lane County Home Rule Charter provide that units of local governments may enter into agreements for the performance of any or all functions and activities that a party to the agreements, its officers or agents, have authority to perform.

NOW, THEREFORE, in consideration of the foregoing, City and County agree as follows:

Section 1: In partnership the City and County jointly agree as follows:

A. The City, in coordination with the Springfield Utility Board ("SUB"), shall promptly submit to the County a PAPA application to recognize that the sensitive time of travel zones and wellhead protection areas outside of the City UGB as delineated by SUB and certified by the Oregon Health Authority may constitute a significant Goal 5 groundwater resource entitled to inclusion in the applicable comprehensive plan inventory and to protection. The County agrees to dedicate resources and process such

application, when submitted, with priority. In its discretion, the County may direct that the City and SUB shall prepare and submit a plan for protection of the resource so identified or recognized, as the City and SUB deem necessary pursuant to Section 3.C., and the County agrees to dedicate resources and process such a plan, when submitted, with priority.

B. Effective as of the date the County obtains final approval (which is defined to include adoption of identical ordinances by all governing bodies participating in the decision) of its proposed PAPA to relocate the Plan Boundary as described in Recital 5 of this Agreement, the City's existing decision-making authority over the sensitive time of travel zones depicted on Exhibit A will remain in effect. For any subsequent PAPA application located in the sensitive time of travel zones depicted on Exhibit A, City and County shall utilize the decision-making authority and process the City previously held under Chapter IV of the Plan as codified in Springfield Development Code Sections 5.14-105 through 5.14-155, Lane Code Chapter 12.200-12.245 and further modified by Section 2:A. of this agreement.

C. The City and County shall exercise joint decision making authority over adoption or any amendments to SUB's groundwater resource identified in the County's inventory and on a drinking water protection plan to protect that resource or any amendment to such drinking water protection plan for the term of this Agreement, as further provided in Section 1:D., below.

D. The parties further agree that additional comprehensive plan findings and policies to be considered by the decision makers, as applicable, are:

1. Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4;
2. Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1;
3. Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4;
4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8;
5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13 and 14;
6. Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10;
7. Metro Plan, Public Facilities and Services Element, Policy G3;
8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13, Policies 9, 10, 11 and 12;
9. Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36;

10. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11;
11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4;
12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7.

This joint authority under Section 1 shall remain in effect so long as the Plan Boundary PAPA is not reversed or remanded on appeal, provided that the joint authority described in Section 1:B. and D. shall cease once a drinking water protection plan for the sensitive time of travel zones and wellhead protection areas delineated by SUB and certified by the Oregon Health Authority obtains final approval and the joint decision making authority over the SUB groundwater inventory and protection under Section 1:C. shall continue unless the parties mutually agree to termination or modification.

Section 2: In partnership with the City, the County agrees to:

A. Provide referral notice to the City of any PAPA application that is proposed within the sensitive time of travel zones as depicted on Exhibit A. All referrals shall occur within ten (10) days of the PAPA application or initiation date. Upon receiving referral notice the City, at its discretion, may, within 21 days of the Notice from the County, elect to not participate in the PAPA decision making process as described in Sections 1:B., C. and D. of this Agreement by notifying the County in writing. If the City does not participate in the PAPA decision making process, the County shall be the sole decision maker utilizing the process and applying criteria as set forth in Section 1:B. and D. of this Agreement. If City does participate in the PAPA decision making process, it shall remain a decision maker with the County utilizing the process and applying criteria set forth in Section 1:B. and D. of this Agreement and the PAPA shall not be approved unless both the City and County governing bodies each approve the PAPA application.

B. Devote appropriate resources to evaluate and process, with priority, the drinking water protection plan and land use regulations set forth in Section 3:C of this Agreement.

Section 3: In partnership with the County, City shall:

A. Devote appropriate resources to evaluate and process, with priority, the County proposal to amend the Boundary to be coterminous with the City's UGB.

B. When ready, initiate an Urban Growth Boundary amendment to include within the UGB all areas that are located within the sensitive time of travel zones as depicted on Exhibit A. For purposes of this Agreement "initiate" is defined as submitting a notice of proposed amendment to DLCD.

C. Allocate planning staff resources (in collaboration with SUB) sufficient to prepare for hearings before the Planning Commissions and Governing bodies on an application to recognize and inventory the sensitive time of travel zones and wellhead protection areas delineated by SUB and certified by the Oregon Health Authority as a significant groundwater resource under Goal 5, and any drinking water protection plan and land use regulations the City considers necessary to be made applicable to land outside the City’s UGB east of I-5 and within the sensitive time of travel zones and wellhead protection areas, to protect such resource.

Section 4: Both parties agree that the 1986 Urban Transition Agreement between the parties does not apply to lands within the sensitive time of travel zones not presently within the City’s UGB. Except as modified by this Agreement, these areas remain the jurisdictional responsibility of Lane County until the property is brought into the City’s UGB.

Section 5: This Agreement may be amended or terminated only upon the mutual agreement of both parties.

Section 6: Should any court of competent jurisdiction determine that a section or part of a section of this agreement is invalid, such invalidity shall not impair the effect or validity of the remaining sections or parts of sections.

CITY OF SPRINGFIELD:

LANE COUNTY:

Gino Grimaldi, City Manager

Liane Richardson, County Administrator

