



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

September 25, 2013

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

Meeting of September 25, 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

12:00 p.m. **A. WORK SESSION:
Downtown Public Safety Strategy**

12:45 p.m. **B. WORK SESSION:
Re-Designation of Striker Field Park**

Mayor: The Eugene City Council will now meet in Executive Session to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive Session is held pursuant to ORS 192.660(2)(h).

Representatives of the news media and designated staff shall be allowed to attend the

executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Downtown Public Safety Strategy

Meeting Date: September 25, 2013
 Department: Eugene Police Department
www.eugene-or.gov

Agenda Item Number: A
 Staff Contact: Pete Kerns
 Contact Telephone Number: 541-682-5102

ISSUE STATEMENT

A City-chartered committee developed recommendations for a path to end the Downtown Public Safety Zone. The committee's recommendations have been evaluated by staff. They are summarized below and in many cases incorporated into an action plan. The Downtown Public Safety Zone will sunset November 30, 2013, barring any additional council action.

BACKGROUND

In January, the City chartered a committee to recommend a path to end the Downtown Public Safety Zone. The committee met six times including a public forum with the Police Commission and Human Rights Commission, and forwarded recommendations to the City Manager's Office on July 1, 2013. According to the original charter, the committee's recommendations were intended to meet the following objectives:

- a. Reduce illegal behavior and improve public safety in the downtown core;
- b. Improve police and community relationships;
- c. Be constitutionally valid;
- d. Fiscally feasible, and aligned with council goals.

A staff team including Presiding Judge Wayne Allen, Police Captain Karl Durr, Library, Recreation and Cultural Services Director Renee Grube, Central Services Executive Director Kristie Hammitt, Police Chief Kerns, City Attorney Glenn Klein, Assistant City Manager and Planning and Development Director Sarah Medary, and Court Administrator Cheryl Stone met to review the committee's recommendations and to develop a strategy. Attachment A is a memo from Police Chief Pete Kerns to City Manager Jon Ruiz outlining the initiatives, which are summarized below.

1. Continue to increase positive activity downtown.
2. Evaluate opportunity to establish a community court, in partnership with the Center for Court Innovations. This would address several of the committee's recommendations which focused on alternative sentencing, and better identifying the high-utilizers of public services.

3. Complete a triple bottom line analysis to determine need for restroom facilities in the downtown core.
4. Explore possibility of adopting certain State drug offenses into City Code, enabling jurisdiction in the Municipal Court. This would increase the City's authority and ability to hold offenders accountable.

The committee's recommendations are included as Attachment B. All of the committee's high priorities are encompassed in the strategy outlined by staff.

RELATED CITY POLICIES

These strategies address the following City Council goals:

A community where all people are safe, valued and welcome.

- Decreased property crime
- Greater sense of safety (especially downtown)
- Better police/community relations

A community that meets its present environmental, economic and social needs without compromising the ability of future generations to meet their own needs.

- Increased downtown development

ATTACHMENTS

- A. Memo from Police Chief Pete Kerns to Jon Ruiz, City Manager
- B. Memo from Beverlee Hughes, Chair of Downtown Public Safety Committee to Jon Ruiz, City Manager

FOR MORE INFORMATION

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Eugene Police Department
Office of the Chief
 PROTECT.SERVE.CARE.



TO: Jon Ruiz, City Manager
 FROM: Pete Kerns, Police Chief
 RE: Downtown Public Safety Strategy
 DATE: September 11, 2013

In January, the City chartered a committee to recommend a path to end the Downtown Public Safety Zone (DPSZ) The Committee compiled a comprehensive list of alternatives and submitted them to the City in July 2013. A staff team including Presiding Judge Wayne Allen, Police Captain Karl Durr, Library, Recreation and Cultural Services Director Renee Grube, Central Services Executive Director Kristie Hammitt, City Attorney Glenn Klein, Assistant City Manager and Planning and Development Director Sarah Medary, and Court Administrator Cheryl Stone met to review the committee's recommendations and to discuss strategies to address downtown safety. As a result of that collaborative meeting, outlined below is the team's recommended strategy to address the public safety needs in the downtown core as the public safety zone sunsets.

It is not recommended that we ask to extend the DPSZ ordinance beyond its sunset this Fall. The current version of the ordinance has fewer applications. Amendments to the ordinance together with service reductions in the District Attorney's Office have made exclusions very rare.

1. Support efforts to continue to increase positive activity downtown.

The City currently supports, permits and schedules a variety of events and activities in the Downtown core. The City directly operates Summer in the City and "Park for Lunch" programming (primarily in Kesey Plaza and on the Park Blocks). The City provides various forms of operational and policy support for the Saturday and Farmer's Markets. The City also contracts with the Saturday Market to promote and permit food carts and events in the downtown core, and provides operational support for the annual Eugene Celebration.

Programming positive activities in public spaces and plazas in the Downtown is an effective way to increase pedestrian circulation which contributes to the safety in the downtown as a whole. These activities also introduce a broader public to amenities and opportunities in the Downtown. The City's active encouragement and investment have been major factors in the recent success of Downtown projects. Loans made to the Broadway Commerce center, the Woolworth and the First on Broadway (Taco Time Building) were fundamental to completing the financing for these projects. The City's investment in the LCC Downtown Center was a key component of the project's capitalization. Smaller loans to the Barn light, Soubise, the Bijou and Off the Waffle and others have helped to create a fabric of commercial activity that has transformed the Downtown experience. Continuation of these policies and use of these tools would contribute to further commercial improvements in the Downtown. As the downtown continues to redevelop, positive activity and pedestrian circulation will support safety goals and the public's perception of a welcoming environment downtown.



An increase in long-term residents has long been viewed as an essential element of success for the Downtown, in terms of economic and social success as well as from a safety perspective. The City has been successful introducing affordable housing in the downtown (WestTown on 8th, Aurora) using local state and federal assistance. There has been some success introducing market rate and student housing (Tiffany, Broadway Place, High Street Terrace, Tate, Capstone) using MUPTE and Urban Renewal. Adding a higher density of market rate housing will greatly enhance the pedestrian presence and overall safety of the Downtown. Given the economic realities of site acquisition and assembly, together with the higher density form of downtown housing, it is likely that public financial tools would remain essential to support downtown development in the near future.

COST: Many of activities are currently underway and funded, and will continue as funding allows. To increase the number and frequency of activities and programs in the downtown from the current level, will cost between \$2,000-\$7,000 per event depending on size and scale of event.

2. Evaluate opportunity to establish a community court, in partnership with the Center for Court Innovations.

Several of the recommendations from the Committee focus on improvements or expansions of court services, including the recommendation to expand alternative sentencing, mental health court, drug court and the development of a list of high-utilizers are all in the purview of and included in the strategy surrounding the development of a community court, described below.

The community court model helps to address criminal activity in communities by using evidence based practices to restructure the criminal justice process. This restructuring process includes assessment of the offender's needs, sanctions which increase defendant accountability and participation in treatment or needed services. A problem-solving approach is designed to address community specific problems, reduce crime, strengthen neighborhoods, support victims, and improve public trust in justice. Models of community courts exist across the nation and worldwide. Each court is customized to address a particular issue defined through a community needs assessment.

The Eugene Municipal Court is interested in pursuing these evidence based practices to address several of the recommendations from the Downtown Public Safety Committee as well as other efforts in the City where related matters are discussed. A community court can be structured to meet any specific geographic need, focused on frequent users of the justice system, or may be focused on a particular problem, such as mental health, substance abuse, theft, lack of housing opportunities, or on factors that arise in a needs assessment of the individual offender. If the City pursues this model to address quality of life crimes the project would include developing new sentencing alternatives, expanded use of problem-solving courts such as mental health and drug court, and may result in a focused effort on high-end users of the system. The community needs assessment and evidence based practices would facilitate the needed change to increase the likelihood of successful outcomes.

The City is engaged in conversations with the Center for Court Innovation (www.courtinnovation.org) to provide technical assistance through their experience with these community programs. Working with the Center for Court Innovation, the municipal court is creating a timeline and roadmap to build a community court model in Eugene to improve outcomes for quality of life offenders. The Center for Court Innovation is a federally funded agency and provides technical assistance to forward thinking communities interested in this problem-solving approach. The community needs assessment will likely take three to four months. Once the assessment is completed the court and justice system partners will

engage in the planning and development of the program. The development phase may take six to nine months depending on the extent of change and scope of the program.

COST: Technical support for the needs assessment is being provided by the Center for Court Innovation. Staff support is being supplemented with two interns from the University of Oregon, who will begin in October. With the information gathered from the needs assessment, a proposal for a community court may be developed and if necessary, a funding strategy will be identified.

3. Complete a triple bottom line analysis to determine need for restroom facilities in the downtown core.

The committee recommended that if increased restroom facilities cannot be installed, the City should develop a plan to address the needs in the future. Considering space limitations and expected use, several potential restroom options are possible downtown. Before evaluating alternatives however, we recommend a triple-bottom-line analysis to determine need.

COST: If it is determined that there is a need for additional public restrooms, costs range from \$130,000 for a two-stall prefabricated toilet, to \$270,000 for a four-stall permanent structure. Annual operating costs are estimated at \$10,000 per stall.

4. Explore possibility of adopting certain drug offenses into city code, enabling jurisdiction in Municipal Court.

Increasingly, circuit court drug related arrests have not been filed by the District Attorney due to a lack of resources. This includes both distribution and possession charges. The City spends numerous hours on enforcement, and there are effectively no consequences for offenders who commit these crimes. The City may be able to adopt some of the more prevalent charges in the city municipal code, and the resulting cases can be filed in municipal court. This would result in increased accountability, including the ability to impose geographic conditions as a term of probation.

The charges under consideration relate to: possession of greater than one ounce of marijuana; possession of marijuana within 1000 feet of a school and possession or delivery of schedule 1-4 controlled substances (i.e. marijuana, heroin, cocaine, methamphetamine, prescription drugs).

While this initiative would give Eugene Municipal Court jurisdiction in what are now felony drug offenses, the Court, Prosecutor's Office and court appointed attorneys do not have sufficient resources to adopt the entire volume of cases that would qualify under this initiative. All Municipal Court cases will need to be managed and charged in such a way as to ensure there is no growth in the load on the Municipal Court system. Adding these offenses to the municipal code is not intended to increase the Municipal Court System's workload, but instead is intended to provide more options to the prosecutor to increase the accountability for certain, drug offenders.

COST: Court, Prosecutor and court appointed attorney resources are at capacity. The use of adopted State statutes for certain drug offenses will need to be carefully managed to ensure a cost neutral application. The purpose of this initiative is to provide options, although limited, to officers and prosecutors without increasing expenses. Please note that increased caseload and reduced funding have already increased court delays beyond judicial standards.



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Jon Ruiz
City Manager
City of Eugene
125 E. 8th Avenue, 2nd Floor
Eugene, OR 97401

July 1, 2013

Dear Jon,

Thank you for inviting me to Chair the Committee to Develop a Path to End the DPSZ. I enjoyed the opportunity and feel the right people were selected to tackle this issue. We have successfully reached the conclusion of our project and are pleased to share our recommendations.

The committee met six times, including a joint meeting with the Human Rights and Police Commissions. As you know, the committee was comprised of a diverse and knowledgeable representation of professions, perspectives and interests. Everyone worked hard to develop a list of recommendations that we believe would serve to meet the five objectives of this committee, which were to reduce illegal behavior and improve public safety in the downtown core, improve police and community relationships, be constitutionally valid and fiscally feasible, and aligned with Council goals.

Finding new solutions to difficult problems, stemming from complex issues (such as homelessness, mental illness and substance abuse), was a difficult task. After a few meetings, the Committee acknowledged that there wasn't any magic bullet we were going to present. City staff was already well versed in the issues, challenges and had researched many ideas over the past five years. However, we did have some fresh ideas, coupled with previously suggested ideas that may offer a more holistic approach to problem solving.

The Committee unanimously recommends the following strategies be considered to address the negative impacts resulting from the sunset of the downtown public safety zone. Below is a brief summary of ideas ranked to reflect our priorities:

FOOD for Lane County
is an equal opportunity
provider and a member of



United Way of Lane County



and the Oregon Food Bank Network



1. **HIGH priority - Expand current or develop new alternative sentencing options.** Simply incarcerating chronic offenders, particularly those with mental illness, substance abuse, or no housing does not rehabilitate them or reduce recidivism. Examples: Graffiti clean-up team, Clean team with DEI, mentor City workers to water flowers or clean restrooms.
2. **HIGH priority- Expand mental health court.** The Committee heard a compelling presentation from Judge Mary Mori about the benefits of the current program, and the current constraints due to funding. This option begins to address the root cause of some of the chronic offenders, and despite increased cost, is imperative to enhance, as the DPSZ sunsets.
3. **HIGH priority- Expand use of drug court.** Circuit Court operates a drug court funded in part with a grant. Because of a decrease in the filing or prosecution of circuit court drug charges, there is extra capacity in the Circuit Court Drug Court. The City of Eugene should determine how to access this excess capacity, either for municipal or felony drug offenses. This option begins to address the root cause of some of the chronic offenders, and despite increased cost, is imperative explore as the DPSZ sunsets.
4. **HIGH priority- Increase activity downtown,** creating a strong and vibrant downtown and supporting economic development strategies. This includes both encouragement of private development as well as increased focus on recreation and activities in the downtown core. Also **strengthen relationships** with downtown businesses and nonprofits who believe in a strong and robust downtown. Increase collaborations and engage with them to participate in creating a stronger and safer downtown.
5. **HIGH priority- Develop a plan for public restrooms** in the downtown area. The committee explored both temporary and permanent public restrooms, with all the costs and complications explained. There should be increased access to public restrooms in the downtown core, and if there isn't currently capacity to accomplish that, the City should develop a plan to achieve this important goal. It is understood that this idea has been thoroughly researched by city staff. Our suggestion is to implement the idea rather than explain why it can't be implemented. Yes, it may be difficult but it still needs to be done. However, funding for bathrooms should not be detoured from any funding from #2 and #3.
6. **HIGH priority- Develop a list of high-utilizers and analyze the true cost of inaction.** The City of Seattle, in conjunction with the University of Washington, United Way and social service providers developed a list of high utilizers to the jail, emergency rooms, and sobering centers. Their conclusion was that although the cost of service delivery is high for this population, the cost of inaction is higher. The City of Eugene should be aware of the costs of inaction with its high utilizers, many of whom would be considered chronic offenders.

The following recommendations focus largely on traditional enforcement or punishment. One committee member commented that the problems faced by these chronic offenders have not and will not be mitigated by simply excluding or incarcerating them. On the other side, other committee

members noted that the concentration of undesirable behavior downtown paired with the desire to enhance downtown warrant some consideration to efforts to disburse the congregated bad behavior.

7. **Moderate priority - Establish a drug impact area.** This would be a more restricted and focused enforcement of drug distribution offenses, along with an option to exclude convicted drug dealers from a certain geographic area. Because of fiscal constraints at Lane County, this option should be considered in conjunction with the option below.
8. **Moderate priority- Adopt certain felony offenses to move jurisdiction and authority to the City.** While Lane County declines to prosecute some low-level felony drug offenses, the effectiveness of existing enforcement or enhanced drug impact enforcement is compromised. To assure needed consequences and penalties are levied after an arrest, it would be recommended that the City assumed increased control over the criminal justice processing and decision making for felony cases which are currently being dropped due to lack of resources.

The Committee understands that additional work will need to be done to develop these ideas. If you are interested in convening any future taskforces to develop these ideas, please know that many of us would be willing to volunteer and join other experts and professionals in these areas to create specific work plans. Measuring the effectiveness/impact of any changes or activities should be included in the work plans

Warmly,



Beverlee Hughes

Chair, Committee to Develop Path to End the DPSZ

Enclosures

- Prioritized recommendations with more details
- Original charter
- Committee roster

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Re-designation of Striker Field Park

Meeting Date: September 25, 2013
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: B
 Staff Contact: Neil Björklund
 Contact Telephone Number: 541-682-4909

ISSUE STATEMENT

This is a work session to discuss a proposal to re-designate Striker Field Park from a community park with lighted sports fields to a “passive park” without sports fields or lighting.

BACKGROUND

Representatives from the Northeast Neighbors Association have contacted staff and members of the council regarding their desire for re-designation of Striker Field Park, from its current status as a Community Park with lighted sports fields, to a Neighborhood or “passive park” without sports fields or field lighting. In support of their proposal, the group has cited changing demographics in the neighborhood, increasing development density, and a perception that current parks do not provide adequate neighborhood park services in the neighborhood. Neighborhood residents have also expressed opposition to locating lighted sports fields directly across the street from residences on Grand Cayman Drive.

The Striker Field site was acquired by the City in 1983 from the Cone family, which sold about six acres to the City and donated an additional five acres. In 1996, a land exchange of about two acres was made to acquire the present site of Crescent Park, leaving the current 8.6 acre Striker Field site. The park has been planned as the site of a sports field complex to be developed in conjunction with the adjacent District 4J future school site, since the original purchase in 1983. Striker Field is within the designated service area for Crescent Park, which is defined as the area within a half-mile walking distance from the park. Crescent Park is approximately a quarter-mile from Striker Field by foot.

District 4J staff recently communicated to City staff that the district sees future development of a school on their adjacent 31.5-acre site as “a very, very strong possibility.” The primary drivers for this are the potential enrollment growth in the Sheldon High School area as the area continues to develop, combined with the lack of an alternative future school site, and perhaps the need to eventually replace the existing school facility at Meadowlark School, next to Sheldon High School. The district does not know when a future school may be developed at the site. Preliminary design work indicates that placing the school close to Grand Cayman Drive, where Striker Field is located, and having the sports fields to the west of the school building would be a more effective layout,

than having the fields to the east of the school building. Re-designating and developing Striker Field as a neighborhood park would significantly limit the options for where the school building and fields would be located. Also, co-development of athletic fields in conjunction with school development creates some clear economic advantages and operational efficiencies for the school district, as well as for the community.

The provision of sports fields, and sports complexes, is both a community-wide concern, as well as a concern within each area of the city. A decision on whether Striker Field should be designated for future sports fields or not, should be accompanied by analysis of the need for sports fields and sport complexes, both in the northeast portion of the city, as well as across the city as a whole. Therefore, such a decision should not look only at the Striker Field site, and it should not be based solely upon the preferences of one neighborhood. Such a community-wide assessment would be most efficient if conducted within the work program of a comprehensive look at parks and recreation services across the community. Such a community-wide effort is expected to commence following completion of the Envision Eugene project, so that park service needs in newly identified residential areas can be addressed.

RELATED CITY POLICIES

The PROS Project and Priority Plan (2006) contained adopted policy regarding future park development. The Project and Priority Plan provides the following direction for development of Striker Field:

Develop Striker Fields as community park within sports complex model, with significant athletic fields, lighting. (Priority 3- "projects that should be completed in the next 15 years to protect existing assets and to implement high priority programs and services.")

The PROS Comprehensive Plan (2005) also designates Striker Field as a community park, however, the City Council's adoption of the PROS Comprehensive Plan was remanded by the Oregon Land Use Board of Appeals, and it does not currently have policy status.

COUNCIL OPTIONS

The council has the following options:

1. Direct staff to bring back to the council a plan for initiating re-designation of Striker Field as a neighborhood park.
2. Direct staff to address the re-designation of Striker Field as part of future revisions to and re-adoption of the PROS Comprehensive Plan, following completion of the Envision Eugene implementation measures.
3. Other, as directed by the council.
4. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends Option 2, directing staff to address the re-designation of Striker Field as part of future revisions to, and re-adoption of, the PROS Comprehensive Plan, following completion of the Envision Eugene implementation measures.

SUGGESTED MOTION

Move to direct staff to address the re-designation of Striker Field as part of future revisions to and re-adoption of the PROS Comprehensive Plan following completion of the Envision Eugene implementation measures.

FOR MORE INFORMATION

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