

MINUTES

Eugene City Council
Council Chambers--City Hall

January 22, 1996
5:30 p.m.

COUNCILORS PRESENT: Tim Laue, Laurie Swanson Gribkov, Shawn Boles, Pat Farr, Kevin Hornbuckle, Barbara Keller, Nancy Nathanson, Jim Torrey.

The regular meeting of January 22, 1996, of the Eugene City Council was called to order by Her Honor Mayor Ruth Bascom.

I. CITY COUNCIL DINNER WORK SESSION

A. Work Session/Action: ArtsPlan

Res. No. 4474--A resolution endorsing ArtsPlan.

Jim Johnson, Library, Recreation, Cultural Services Director, introduced the item, noting that ArtsPlan was a strategic plan that would attempt to enhance the quality of life in the community. He said the plan attempted to answer the questions: 1) where are we (the city of Eugene) now; 2) where do we want to be in the future; and 3) how do we get there.

Mr. Johnson noted that the plan was consistent with the council's goals and objectives, and he added that the City of Eugene was a key stakeholder in the arts in the community. He stated that it was directly to the City's financial benefit to be involved with supporting ArtsPlan.

Gretchen Pierce explained that the ArtsPlan was a community-based effort and it was one of the few planning projects of its kind to be conducted without the planning support of a municipality. She remarked that ArtsPlan is housed under the umbrella of the Eugene Arts Foundation, which had been renamed the Arts Foundation of Western Oregon. She reported that the Arts Foundation had granted over \$25,000 to ArtsPlan, and a director had been hired with those funds. She noted that the Arts Foundation was on the verge of launching its first collaborative project, a joint marketing feasibility study. She added that Hult Endowment had allocated a \$100,000 fund for arts education in the community.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to adopt the resolution.

Mr. Hornbuckle stated that he did not support the motion because it was not a grass roots effort, but rather an effort conducted by private businesses and noted that the plan had nothing to do with the public interest. He added that the City Council had a rule against passing resolutions in support of private organizations. He asked councilors why they were willing to break this rule, when they were unwilling to do so when he introduced a single-payer health care resolution.

Mayor Bascom stated that this motion was quite different in that it supported a long-range effort by a group in the community rather than a philosophical concept.

Mr. Boles noted that Mr. Hornbuckle's concern was well founded in that the council, historically, had not passed such resolutions. He suggested reframing the resolution to be in accordance with council policy. He said that if it were reframed, those who supported it could sign it. Speaking to the ArtsPlan, Mr. Boles congratulated the Arts Foundation for its work. He reiterated his intention to support the ArtsPlan, but noted a concern that the group had not asked the question, "how will we pay for this?" He encouraged work toward getting stable public funding behind the arts.

Ms. Keller stated her appreciation for the effort that had gone into the project. She said that this motion was very different from Mr. Hornbuckle's example. She said this was an effort from a private group that was attempting to address an issue not fully addressed by the City. She voiced concern that the project was incredibly ambitious. She said that she particularly appreciated the concentration on youth access. She added that greater concentration in business training and leadership training was necessary in order to gain more financial backing. She said that one problem she did see was that of economic access to the arts.

Ms. Swanson Gribkov echoed appreciation for the Arts Foundation and its work. She asked if there was a connection with the Convention and Visitors Center of Lane County.

Ms. Pierce noted that CVALCO was a key player in the first marketing project. She said it was not the Arts Foundation's intention to keep the projects within the foundation, but rather institutionalize them somewhere else. She said that in the case of marketing, CVALCO was the obvious choice.

Mr. Farr reiterated his congratulations and appreciation. He said he would support the resolution regardless of its form.

Mr. Laue asked if the resolution, as presented, was within the council's ground rules.

Mr. Boles said that the council had not passed such resolutions in the last four years.

Mr. Johnson noted that the council did use a resolution to adopt SportsPlan.

Mr. Laue stated that the council needed to revisit its ground rules. Speaking to ArtsPlan, he said that it was a very clear and ambitious project. He noted his disagreement with Mr. Hornbuckle in that the arts had a great deal to do with public interest, and to the extent to which the City could support and promote the arts it was doing its community members a favor.

Mr. Torrey noted that Mr. Hornbuckle's point had some validity in that recently the council was asked to pass a similar resolution and the resolution was reframed such that councilors signed it if they supported it. He emphasized his support of the project and noted that he hoped the council would not attempt to "put a damper" on the foundation's big vision. He said that their efforts should be applauded.

Ms. Nathanson said she was impressed by the thoroughness of the report. She noted that it was an inclusive plan in that it took into account those who create the arts, and those who experience the arts. She said that it was appropriate for the council to entertain such a motion because there were elements of the resolution that would require City participation.

The motion passed, 7:1, with Mr. Hornbuckle voting in opposition.

B. Status Report: Growth Management Study

Allen Lowe, Planning and Development Department, provided the staff report and distributed an information packet to the councilors. Mr. Lowe indicated he would present an overview of a review of the study history, goals, and purposes; the highlights of major policy issues for council consideration; and review the summary of the results from the phase I community forums and tabloid questionnaires.

Following Mr. Lowe's presentation, Ed Weeks, University of Oregon, introduced Project Director, Laurie Bumgarner. Mr. Weeks reviewed the community tabloid survey and public forum process designed to solicit public input, and he reviewed the survey's and forums' results.

Responding to a question from Mr. Torrey, Mr. Weeks said that the forums provided an opportunity for those who wished to participate and the opinions would be further tested before being implemented. He stressed the importance of methodological rigor in designing and implementing such a study. Mr. Torrey asked how the council could solicit opinions from those who did not participate. Mr. Weeks said that previously, those conducting the surveys offered participants open-ended questions so specific individual opinions could be better recorded.

Mr. Boles asked if a survey instrument had been reviewed by the commission or the council. Mr. Lowe stated that that process would occur following the February 7, 1996, meeting.

Mr. Hornbuckle commended staff for creating an informative and interesting data presentation. He noted that the self-selected nature of the participants

should be kept in mind, as well as the political filter through which each councilor gauged the information. He urged citizens to become involved in the process and to do their own political thinking.

Mr. Farr reiterated Mr. Torrey's concern about the need to involve those in the community who did not normally participate. He hypothesized that those who did not participate were largely satisfied with the quality of life in Eugene. He added that he hoped those individuals could be reached in some fashion. Mr. Weeks indicated that staff had sent out 2,000 individual invitations, followed by telephone contacts. He added that a day-time forum might have been more successful in accessing the portion of the community that did not want to attend evening meetings.

C. Work Session: Lane Transit District (LTD) Request for Revision of Commitment of Funds for the Eugene Station Project

Pat Hocken, LTD Board President, referred the council to the recommendation in the agenda packet developed by LTD and City staffs. She commended the work of both sets of staff in developing the recommendation.

Low Bowers, Planning and Development Department, provided background information on the preferred option. He noted the relationship between the LTD facility and the proposed Pearl Street parking garage, which would mitigate the loss of parking at the LTD site. He said that there were two linkages: 1) financial, in that some of the funds to pay for the Pearl Street Garage would come from LTD; and 2) legal land use, in that the LTD station cannot open until the Pearl Street Garage has been completed. He said that staff wanted the council to make a decision on the LTD station site prior to taking any action on the parking mitigation. Mr. Bowers noted that the developers of the garage indicated that the labor costs would rise after February 1, 1996.

Mr. Bowers reviewed the three options as follows: 1) option A, which recommended approval of the revised land sale and simultaneously initiating a Pearl Street Garage; 2) option B, which recommended discontinuing the land sale and the Pearl Street Garage creation; and 3) option C, which recommended approving the land sale but putting a hold on the parking mitigation. He reiterated that both City staff's and LTD's recommendation was option A.

Mr. Bowers reviewed the LTD parking mitigation option under two scenarios: 1) LTD proceeds with the station; and 2) LTD does not proceed with the station. He noted the City's increased exposure to risk given the discontinuation of the LTD station. He suggested that the risk of exposure focused upon 1) environmental risk--current estimates suggest clean-up will cost \$50,000; 2) financial risk--does LTD have the money to build the station; and 3) legal risk--Mr. Bowers was unaware of any potential legal challenges. He stated that in the worst case scenario, the Urban Renewal Fund would be asked to cover \$863,000 and with the LTD agreements and additional STP funds, the bottom line additional cost to the City would be \$463,000.

Ms. Swanson Gribskov asked LTD to discuss the timing of the Federal grants. Ms. Hocken said that the \$9.7 million grant had been approved. She noted that if the project was slowed in any way, there was a chance that Congress would attempt to pull the money; however, the project was on schedule and the money was likely assured.

Ms. Keller asked if a recommendation from LTD that the City receive surface transportation funds would assure those funds. Mr. Bowers indicated that such a request would not assure such additional funding because that decision has to be made by the Metropolitan Policy Committee.

Ms. Keller requested a copy of the legal opinion that the LTD Board received about restrictions on the use of local funds. She further requested more information from staff about the possibility that LTD could secure a performance bond. She suggested that the council had other options, such as dropping the Pearl Street garages.

Mr. Boles said that the downside of the options also included losses to the City's parking facilities. He said that indicated the at-risk funds in the worst case scenario might be more than the estimated \$463,000.

Referring to the right of first refusal, Mr. Torrey asked if the City would compete for other buyers. Mr. Bowers said that the City must be given the right of first refusal to purchase the property at fair market value. The current appraised price was based on fair market value.

Mr. Torrey asked about the clean-up costs on the site and how those costs would affect LTD's decision. Ms. Hocken said that the preliminary information did not indicate that soil contamination would be prohibitively expensive.

Ms. Hocken said that the estimate for the alley cost was based on appraisals of surrounding property. She noted that the length of the alley vacation process was the limiting factor as to when the \$100,000 would be transmitted to the City. Regarding the STP funds, Ms. Hocken said that she did not think the Metropolitan Policy Committee (MPC) would have concerns about that reallocation of funds. She stressed that the funds had already been allocated to LTD.

Responding to Ms. Nathanson's question, Mr. Bowers said that he was unaware of any legal challenges, but there was always a possibility of such a challenge if someone really wanted to stop the project. Ms. Hocken said that LTD's legal representative, Al Johnson, indicated that the appeal deadline for the conditional use permit issued by the City was January 18, 1996.

Mr. Farr asked if staff had determined a way that other entities benefitting from the parking structure could share the City's risk. Mr. Bowers said that City staff had considered the issue but had been unable to find a way to share the expense.

Mr. Laue indicated his appreciation to both Eugene and LTD staff and noted his support for Option A. He reminded the council of its commitment to interjurisdictional cooperation.

Mayor Bascom said that the City and LTD had been working on the project for a long time and it was a good project. She said the facility was designed to improve bus ridership and she hoped the council would move forward with the item on Wednesday.

D. Report Concerning Community Policing Funding Discussion

Mr. Laue said that the council needed to decide whether it wished to proceed with a ballot measure in May. The Council Committee on Public Safety did not support a May ballot. He said that the City had committed in the 190 agreement to discuss with both the County and Springfield any revenue measure related to public safety or property taxes before creating a ballot measure. He suggested that there could be a conflict between the sheriff's levy and this levy. He noted that there was insufficient time to create a good levy. Mr. Laue asked the council to direct staff to postpone a levy.

Mr. Boles expressed concern about the scale of the committee's recommendations and noted the media reported the recommendations as the council's recommendations.

Mr. Torrey said that it was clear that the recommendations were the committee's and not the full council's. He said he did not support a May ballot measure and urged prudence.

Ms. Keller indicated agreement with Mr. Torrey's remarks, and questioned the costs associated with the recommendations.

Ms. Swanson Gribkov said that she had made it clear to the commission that the City was not going forward on its own and regretted that the newspaper gave the opposite impression.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Linda H. Norris

Linda Norris
City Manager pro tem

(Recorded by Jennifer Self)
cc53022.016

MINUTES

Eugene City Council
Council Chamber--City Hall

January 22, 1996
7:30 p.m.

COUNCILORS PRESENT: Tim Laue, Laurie Swanson Gribskov, Shawn Boles, Pat Farr, Kevin Hornbuckle, Barbara Keller, Nancy Nathanson, Jim Torrey.

Her Honor Mayor Ruth Bascom called the meeting to order.

I. CONSENT CALENDAR

A. Approval of City Council Minutes of October 23, 1995, Dinner Work Session; October 30, 1995, Special Meeting; November 8, 1995, Lunch Work Session; November 13, 1995, Dinner Work Session; and November 13, 1995, Meeting

B. Resolution Concerning Call for Public Hearing: Proposed Withdrawals from Special Districts

Res. No. 4475--A resolution calling a public hearing to consider proposed withdrawal of territories (Stiffler, ED EU 95-81; Sherman, EC EU 95-80; Briggs, EC EU 95-66; Ellis EC EU 95-67; Fairchild ED EU 95-71; Tuski EC EU 95-85; Lahmann, EC EU 95-86; Root EC EU 95-90; and Sheets, EC EU 95-91) from the River Road Water District and River Road Park and Recreation District; proposed withdrawal of territories (Harris, C EU 95-64; Smith/Guerra, C EU 95-75; Ziebert, C EU 95-65; Jacl:e,am, C EU 95-77; and Irving/Rauber, C EU 95-64) from the Santa Clara Water District; proposed withdrawal of territory (Coast Resources, EC EU 95-92) from the Willamalane Park and Recreation District; and the proposed withdrawal of territory (Peterson, C EU 94-16) from the Junction City Water Control District.

C. Ratification of Council Officers' Recommendations of December 8, 1995, and January 9, 1996

D. Ratification of January 17, 1996, Election of City Council Officers

Ms. Keller pulled the minutes of November 8, 1995, Lunch Work Session and November 13, 1995, Dinner Work Session from the Consent Calendar for discussion at the end of the agenda.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to approve the remainder of the Consent Calendar. The motion carried unanimously, 8:0.

II. ACTION: RECOMMENDATIONS FROM CITIZEN ADVISORY COMMITTEE FOR FERRY STREET BRIDGE CORRIDOR

Dave Reinhard, Public Works, clarified issues raised at the last meeting. He reported that the preservation and enhancement project was proceeding. Mr. Reinhard also referred to the flow chart in the packet, noting that the TransPlan process was where major decisions would be made.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to accept the Ferry Street CAC Final Recommendations report; refer the Finance Plan, including funding and timing of the Valley River Bridge and strategic land acquisition, to the Multi-Year Financial Strategy; refer the overall proposed transportation system, sequencing and financing plan to the TransPlan Update for consideration and adoption.

Mr. Boles asked whether the items were intended to be ranked in order of importance. Mr. Reinhard responded that the top three items reflected the ranking of the committee.

Mr. Boles moved, seconded by Ms. Keller to switch the order of items number 1 and 4, so that Transportation Demand Management (TDM) efforts were first.

The council discussed the amendment, with Mr. Torrey and Mr. Farr expressing concern about "locking in" a sequence at this stage. Ms. Nathanson clarified that accepting and referring the report did not imply taking action. Mr. Boles emphasized that his amendment was to change the order of the items which staff identified as being ranked. Jerry Diethelm, Consultant, told the council that the committee's focus on the Valley River Bridge was due to the acknowledged need for additional capacity. Mr. Diethelm said the committee intended for TDM to occur in parallel to other items, not in a specific order.

The amendment carried 6:2, with Mr. Torrey and Mr. Laue voting in opposition.

Ms. Swanson Gribkov moved to amend the motion to identify the top four items of highest priority. The motion died for lack of a second.

Ms. Keller thanked the committee for working toward a street grid concept and dispersal of traffic. However, she expressed concern about the financial strategies contained in the report.

Ms. Keller moved, seconded by Mr. Torrey to remove acceptance of the financial strategies outlined in the report, pending further study.

The vote on the amendment was 4:4, with Mr. Boles, Mr. Laue, Ms. Swanson Gribbskov and Mr. Farr voting in opposition. Mayor Bascom voted in opposition, causing the amendment to fail, 5:4.

In response to questions, City Attorney Glenn Klein told the council it was not taking any action that was legally binding, but accepting and referring the report, which can be changed within other processes.

The main motion carried 7:1, with Mr. Hornbuckle voting in opposition.

III. RESOLUTION ACKNOWLEDGING RECEIPT OF CITY OF EUGENE FY95 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Res. No. 4476--A resolution acknowledging receipt of the Comprehensive Annual Financial Report (CAFR) for the City of Eugene for the fiscal year ended June 30, 1995.

Administrative Services Director Warren Wong reviewed the report, noting that the auditors had issued an unqualified opinion, and, equally significant, had no findings in the Federal single audit, which was unusual and spoke well for staff work.

Ms. Swanson Gribbskov commended the staff and asked about rotating auditing firms, clarifying that she had confidence in Coopers and Lybrand. Mr. Wong responded that the General Accounting Office and the Government Finance Officers Association recommended keeping an auditor for at least five years. Mr. Wong said that any decision to request proposals for a new firm would be based on professional management judgment and knowledge of the firm.

Ms. Keller thanked staff for their work, pointing out that within the context of the federal budget crisis, the City was doing a good job with the public's money. She acknowledged the many hours put in by City Council members and members of the Budget Committee.

Mr. Hornbuckle made a distinction between financial responsibility and economic fairness, stating that the City Council tends to increase regressive taxation and cut services in order to balance the budget.

Mr. Boles asked about the cost-effectiveness of lowering audit fees for comprehensive staff work. Mr. Wong responded that the lower fees had to do with the use of automated tools. Mr. Boles pointed out that the audit shows that the City's accounts were well-managed, but were not an indication of policy prudence in how City resources were expended.

Mr. Torrey asked a member of the audit firm to comment on questions of how fiscally conservative the City is compared to other government entities. Don Doerr, Managing Partner, Coopers and Lybrand, was not comfortable making comparisons, but told the council it could feel proud of City staff's work. He said it was unusual to have no findings.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to adopt the resolution.

Mr. Laue expressed appreciation for the work of staff, council, and budget committee members.

The motion carried 7:1, with Mr. Hornbuckle voting in opposition. Mr. Hornbuckle asked to change his vote to an abstention after being ruled out of order by Mayor Bascom.

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

IV. RESOLUTION ACKNOWLEDGING RECEIPT OF THE GENERAL PURPOSE FINANCIAL STATEMENTS OF THE URBAN RENEWAL AGENCY

Res. No. 982--A resolution acknowledging receipt of the "General Purpose Financial Statements of the Urban Renewal Agency, a Component Unit of the City of Eugene, Oregon, for the Fiscal Year Ended June 30, 1995"

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to adopt the resolution. The motion carried unanimously, 8:0.

V. ACTION: FINAL DESIGN FOR WILLAMETTE PLAZA

Jan Bohman, Planning and Development, reviewed the packet memo, responding to issues raised by council at its work session. She told the council that there was concern about raising private funds for portions of the project to be phased in later, since the momentum could be lost after the initial construction phase was completed.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to adopt the final plaza design recommendation of the Broadway/Willamette Plaza Design Committee, including priorities for reductions if needed, and to direct staff to proceed with final bid documents and bidding.

Mr. Boles objected to making adjustments to the package, stating, "if you're going to do it, do it right." He suggested that the item should be brought back to the council if bids exceed the budget.

Mr. Boles offered a friendly amendment to strike the reductions from the motion. Mr. Laue and Ms. Swanson Gribkov agreed.

Mr. Torrey, Mr. Farr, and Ms. Keller expressed concern about bicycle parking. Ms. Bohman said the plan would provide enough bicycle parking to accommodate at least the current level.

Ms. Keller moved, seconded by Mr. Boles, to amend the plan to include a significant number of bicycle parking facilities

Ms. Nathanson offered a friendly amendment to include the words "in the immediate vicinity." Ms. Keller and Mr. Boles concurred.

Ms. Bohman told the council that the plan was to ask the City bicycle coordinator to site the locations for bicycle parking, with the intent to keep parking on the perimeter of the plaza area. Ms. Norris said the item could come back to council after the bicycle coordinator makes a recommendation.

The amendment carried unanimously, 8:0.

Ms. Keller moved, seconded by Mr. Hornbuckle, to amend the plan to remove any curbs within the plaza area.

Les Lyle, City Engineer, told the council that, while there were no curbs in the center circular area, removing all curbs in the plaza area would require the addition of bollards along the full length of the plaza adjacent to Willamette Street, and would change the character of the design.

The amendment failed 5:3, with Ms. Keller, Mr. Hornbuckle, and Mr. Boles voting in the affirmative.

The main motion carried 7:1, with Ms. Keller voting in opposition.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to allocate \$520,000 in urban renewal funds for the Broadway/Willamette Plaza project.

Ms. Swanson Gribkov explained that she had brought up phasing because of concerns about the balance of the urban renewal fund, and unanswered questions about other urban renewal projects.

Ms. Swanson Gribkov moved, seconded by Ms. Nathanson, to amend the motion to phase the projects, allocating approximately \$330,000 for the main portion of the project, completing the amenities in 97/98.

In response to questions, Abe Farkas, Planning and Development Director, said the urban renewal fund is increasing as the value of the district appreciates. Mr. Laue and Ms. Keller argued that phasing was not fiscally prudent.

The amendment failed, 7:1, with Ms. Swanson Gribbskov voting in favor.

Ms. Keller said she would vote against the main motion. She said it was a breach of the public trust to use urban renewal funds without looking carefully at the fund first.

The main motion carried 7:1, with Ms. Keller voting in opposition.

Mr. Laue moved, seconded by Ms. Swanson Gribbskov, to acknowledge LTD's intention, as stated in their letter of January 19, to run no more than five to six buses per hour on the reopened portion of Willamette, and to postpone use of that portion for buses until the opening of the new station in January 1998; and, to direct staff to bring the issue back to council for review six months following bus use of the street.

Mr. Boles suggested that staff look at both frequency and timing of buses. He said he would be willing to consider more buses at peak times in exchange for less at other times. Mr. Boles also expressed support for LTD's move to smaller, more appropriately scaled buses. Mr. Torrey agreed.

Ms. Keller argued that buses did not belong on Willamette Street, and that pedestrian use should be first priority.

The motion carried 6:2, with Ms. Keller and Mr. Hornbuckle voting in opposition.

The council took a break from 9:10 to 9:15 p.m.

Mayor Bascom adjourned the meeting of the Urban Renewal District and reconvened the meeting of the Eugene City Council.

VI. PUBLIC HEARING: RECOMMENDED CHANGES TO THE MAY 1995 DRAFT EAST ALTON BAKER PARK PLAN

Ms. Nathanson recused herself from this item due to the involvement of her employer, the University of Oregon. Mr. Boles said he had consulted legal counsel and determined it was not necessary for him to recuse himself.

Teresa Bishow, Planning and Development, reminded the council that it had delayed action on this item until the citizen planning committee could meet with representatives from the University of Oregon (UO) to negotiate the issue of parking for Autzen stadium events south of Leo Harris Parkway. Ms. Bishow told the council that the two unimproved parking areas in East Alton Baker Park constituted about 2.67 acres, accommodating about 400 cars. For comparison, the paved parking area in the western portion of Alton Baker Park consists of about 2.14 acres, accommodating about 300 cars.

Mayor Bascom opened the public hearing.

Wayne Hill, 2870 Chateau Place, chair of the East Alton Baker Park Citizen Planning Committee, thanked the council for the opportunity to serve on the committee, supported adoption of the plan with the recommended changes, and offered to answer questions.

W. Riley "Tex" Matsler, 2645 Chula Vista Drive, distributed a letter to councilors objecting to the committee process. Mr. Matsler asked the council to allow staff to work with members of the public to develop a plan that included recreation facilities.

Catherine Larson, 1826 Lincoln Street, spoke on behalf of six members of the committee, asking the council to adopt the original, rather than the revised plan. Ms. Larson said the proposed parking areas were not consistent with the public's expressed desire to create a passive recreation area. Parking by the University eliminates passive recreation uses of the area.

Amy Klauke, President of Nearby Nature, urged the council to adopt the original version of the plan. Ms. Klauke said Nearby Nature would assist in the restoration of the two unpaved parking areas to natural areas.

Dave Sweet, 681 East 32nd Avenue, objected to both the BMX and the University of Oregon uses of the park.

Chris Ramey, 2063 Kincaid Street, spoke on behalf of the University of Oregon, in support of the revised plan. Mr. Ramey said both the BMX and the parking were non-conforming, but pre-existing, uses. He said continuous parking had occurred on the two unpaved parking areas south of Leo Harris Parkway for 30 years. The areas had been considered part of the supply for Autzen Stadium event parking. He referred to the stringent conditions applied to the two parking areas, including a tailgating ban, construction of a berm and barriers, and a user fee.

Charles Biggs, 2405 Willakenzie Road #1, member of the citizen committee, supported the revised plan, calling it a "win-win" situation. He said the University made a number of agreements for using the parking areas that would provide reclamation and revenue for the park.

Gary Ross, 832 Jannette, representing Willamalane Parks and Recreation District on the committee, explained his support for the revised plan. Mr. Ross said the University had made significant compromises to be able to continue parking in the park. Mr. Ross also remarked that the committee had come to consensus on every other part of the plan.

Mayor Bascom closed the public hearing.

Mr. Lue moved, seconded by Ms. Swanson Gribbskov, to adopt the May 1995 Draft East Alton Baker Park Plan with the recommended changes

forwarded by the East Alton Baker Park Citizen Planning Committee.

Mr. Farr expressed support for the motion, adding his appreciation for the efforts of the committee and the University.

Ms. Keller moved, seconded by Mr. Hornbuckle, to remove recommendation #3 regarding UO parking, from the plan.

Ms. Keller argued that changes to accommodate the UO parking were not consistent with the City's transportation goals.

Mr. Hornbuckle thanked the committee for its work. He reminded the council that the charter amendment which the voters passed defined the area of the park as south of Leo Harris Parkway. Mr. Hornbuckle said adopting the original plan was consistent with the intent of voters.

Mr. Boles supported the original plan, stating that it was more consistent with land use goals adopted by the council.

Ms. Swanson Gribkov disagreed, noting that the UO use was pre-existing, similar to the BMX use.

Mayor Bascom pointed out that the council had asked the committee to negotiate with the UO, and since they had, their recommendations should be honored. Mr. Laue said he was impressed with the efforts by the UO to mitigate issues with parking in the Park.

The amendment failed 4:3, with Mr. Hornbuckle, Ms. Keller, and Mr. Boles voting in the affirmative.

The main motion passed unanimously, 7:0.

Councilor Nathanson rejoined the council.

VII. PUBLIC HEARING: HOUSING DISPERSAL PLAN

Planning Commissioner John VanLandingham introduced the topic, stating that the basic goals of the policy remained unchanged. Mr. VanLandingham said housing dispersal had been adopted by the City Council and the Planning Commission as a community goal in 1960. He said the problem was in the application of the policy.

Mayor Bascom opened the public hearing.

Al Johnson, 767 Willamette Street, Suite 28, urged the council to adopt the plan. Mr. Johnson said it was a housekeeping issue to keep the council on track with its intent, adding that the plan would put everything that governs the permit process together.

Michael Bardossi, 4665 Larkwood Street, spoke against the plan, citing the Woodleaf project as an example. Mr. Bardossi said provisions had not been made to manage traffic and pedestrian safety.

Sandy Mari, 846 Foxboro Road, spoke against the plan, charging that the policy was being changed to accommodate the Woodleaf developer.

Ron Harrison, 894 East 43rd Avenue, identified himself as a retired police officer, and spoke against the plan, charging that it would spread crime and cause problems for the police department.

Dave Arts, 4680 Larkwood Street, spoke against the plan, distributed data on calls for police service, charging that rates were higher in low-income housing projects.

Linda Lu Kimmel, 2746 Kincaid Street, spoke against the plan, citing her opposition to the Woodleaf project. Ms. Lu expressed concern over page 203 of the council packet, which indicated the City Council had already adopted the plan.

Marlene Colbath, 2230 Churchill Street, expressed concern about the wording, supporting the word "prohibit" rather than "discourage." Ms. Colbath said the plan should be clear in light of the council request for a utility tax for affordable housing.

Candace Luis, 875 Foxboro Lane, opposed the plan, noting that a letter from Mr. Farkas had indicated the current plan was working. Ms. Luis suggested that problems would arise from an increase in population density.

Dave Sweet, 651 East 32nd Avenue, said the plan discriminated against low-income people.

Ken Bronson, 5445 Saratoga Street, urged the council not to eliminate the criteria for location, or the appeal process.

Eric Hiaasen, 31861 Owl Road, spoke against the changes, stating that the policy was unclear, and objecting to the concept of "tipping." Mr. Hiaasen said he did not want to see any neighborhood in Eugene become "bad." He encouraged the council to broaden its definition of dispersal and to retain criteria that aid in design and planning of neighborhoods. Finally, Mr. Hiaasen read an article from the *Eugene Weekly* newspaper, pointing out that growing up in a low-income project is stigmatizing.

Doug DuPriest, attorney, spoke on behalf of Fox Hollow neighbors. Mr. DuPriest highlighted a number of questions contained in his written comments.

Dennis Casady, PO Box 5028, charged that the City had proposed the change following the conditional use permit denial for the Woodleaf development, "obviously to accommodate it." Mr. Casady objected to a comment from Mayor

Bascom indicating that the council had already decided this issue. Mr. Casady suggested a development half the size of Woodleaf would have been accepted by neighbors, and asked for a show of hands of those who agreed.

Ruth Phelps, 5445 Donald Street, opposed the Woodleaf development, stating that the R-1 zoning should have precluded it. Ms. Phelps vowed to oppose the utility tax for this reason.

Deanne Colick, 5555 West Amazon Drive, opposed the changes, stating that they did not allow appeals. She urged the council to retain standards and criteria from the original policy.

Scott Haad, 5260 Donald Street, opposed the plan, citing examples of impacts of low-income housing projects.

Michael Stineck, 5225 Fox Hollow Road, expressed concern about safety hazards from stormwater drainage from the proposed Woodleaf project.

Jackie Hughes, 31929 Owl Road, objected to the process, stating that her rights had been denied. Ms. Hughes said more time should have been allowed for public comment on such major changes.

There was no further public comment. Mayor Bascom closed the public hearing.

Mr. Laue moved, seconded by Mr. Torrey, to postpone action on this item until Wednesday.

Mr. Torrey commented that he was willing to keep the record open to allow anyone who wanted to testify to come forward.

Mr. Boles and Ms. Keller argued that it would be unfair to make the people come to another meeting in order to hear the outcome of the issue.

Mayor Bascom confirmed that she had told some people that she thought the City Council was committed to the Woodleaf project.

The vote on the motion was 4:4, with Mr. Boles, Mr. Laue, Ms. Keller, and Ms. Nathanson voting in opposition. Mayor Bascom voted in the affirmative, passing the motion 5:4.

In response to questions from Ms. Nathanson, Mr. VanLandingham confirmed that the Planning Commission had held two public hearings on this issue and kept the record open longer than usual. He said the motivation for changes in the plan was not due to the Woodleaf project, but the way the policy was being used as a "stop sign." Mr. VanLandingham said the council would need to decide whether to change the word "discourage" to "prohibit." Mr. VanLandingham answered a question about the neighbors' plan by saying that the Housing Policy Board is the entity who takes suggestions.

Ms. Keller asked what developments had been blocked under the current policy. Mr. VanLandingham responded that appeals included a proposed development at 38th Avenue & Hilliard Street which was never built, a development on Willakenzie which is now being built, and a development at Laurel Grove which has now been built. He added that there had been others.

Mr. Hornbuckle confirmed that Policy 2 hinged on the judgment of the City Council. He also asked about rental housing. Richie Weinman, Planning and Development Department, responded that the comprehensive plan contained three top goals, with rental housing identified as the highest need.

Through questions, Mr. Boles clarified that the policy was worded so that each project could be evaluated on its merits.

Mr. Torrey asked whether the changes needed to be as dramatic as they were. Mr. VanLandingham responded that the policy was being used to stop affordable housing projects, which was not consistent with the goal of encouraging them.

Mr. Torrey asked for a list of names and addresses of people who testified.

Mr. Nathanson asked about preparing findings in advance of a council meeting. Jerry Jacobson, Planning and Development, responded that it was standard practice to prepare findings, and to edit them after council action.

Mr. Laue asked whether most applicants for affordable housing were working women with children. Mr. Weinman responded that the majority were. Mr. Laue commented that the calls for service referred to in public testimony were not extraordinary compared to the total of 80,000-100,000. Mr. Weinman explained that investigation into the calls indicated that, at one subsidized development with a high number of calls, one individual with a history of mental illness had made many non-emergency 911 calls.

In response to a question from Mayor Bascom, Mr. Weinman confirmed that Federal Section 8 dollars were "shaky" at this time.

VIII. PUBLIC HEARING: ORDINANCE REVISIONS CONCERNING CONTROLLED INCOME AND RENT (CIR) HOUSING WITH INCREASED DENSITY

Mr. Jacobson told the council that the purpose of the revisions was to clarify wording to be consistent with the intent that CIR projects not be located in unsuitable areas.

Mayor Bascom opened the public hearing.

Mr. Klein confirmed that prior testimony was part of this record also.

Maale Hyatt, 740 Madison Street, testified that he had two problems with the proposed changes: 1) if the rule is being changed for a special purpose, it

leaves no limits, and 2) the public process was being ignored as indicated in the findings.

Al Johnson pointed out that the existing ordinance had resulted in a series of problems. Mr. Johnson said Woodleaf was the only project to be evaluated under the new language adopted March 6, 1995, which caused ambiguity. He said the change was to clarify the council's original intent.

Mr. Johnson placed into the record a copy of the Hearings Official's decision and a copy of the appeal.

Jean Tate, 5008 Blanton Road, said that single-family residences for low-income citizens would be ideal, but not possible because of the expense and the number of homeless and low-income people in the community. Ms. Tate added that Section 8 housing is always full with a long waiting list.

Lee Hughes, 31929 Owl Road, reviewed a history of the ordinance, stating that the CIR code had been changed substantially without a public hearing.

Doug DuPriest argued that notice of the August 8 Planning Commission hearing indicated it was limited to census changes. Mr. DuPriest also said the hearings official had ruled that the language was not ambiguous.

Charles Dallas, 4789 Fox Hollow, commended the City Council, the Planning Commission, and City staff for recognizing the housing needs in the community. Mr. Dallas said affordable housing was important, but that adopting the map and eliminating "tipping" would leave no limits until the next census. He urged the council to include tipping or make provisions for updating the map.

Mr. Laue moved, seconded by Mr. Torrey, to delay action on this item until Wednesday. The motion carried unanimously, 8:0.

**IX. APPROVAL OF FINDINGS AND RECOMMENDATIONS FROM HEARINGS OFFICIAL AND
PASSAGE OF AN ORDINANCE LEVYING ASSESSMENTS FOR ALLEY PAVING**

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to approve the Hearings Official's Findings and Recommendations of January 3, 1996. The motion carried 7:1, with Mr. Hornbuckle voting in opposition.

CB 4562--An ordinance levying assessments for alley paving between Garden Avenue and Franklin Boulevard from Walnut Street to Villard Street; and declaring an emergency. (Contract 95-05)(Job #3340)

Mr. Laue moved, seconded by Ms. Swanson Gribkov, that the bill, with unanimous consent of the council, be read the second time by council bill number only, and that enactment be considered at this time. The motion failed because of lack of unanimous consent.

7:1, with Mr. Hornbuckle voting in opposition.

Mayor Bascom asked whether any member of the council wished to have the bill read in full. No councilors requested a full reading. Mayor Bascom announced that the second reading would take place on Wednesday.

The council then returned to the minutes pulled from the Consent Calendar.

Ms. Keller made minor changes in the wording of the minutes from November 8, 1995 and November 13, 1995. She asked that paragraph 2 on page 5 of the November 8 minutes be changed to read: "She noted that the new phrases were not part of any proposal." Ms. Keller also asked that the second paragraph from the bottom on page 2 be changed to read: "The charges should be funded at \$165,000 annually from the General Fund in fiscal year 1997."

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt the minutes as amended. The motion carried unanimously, 8:0.

The meeting adjourned at 11:55 p.m.

Respectfully submitted,

Linda H. Norris

Linda H. Norris
City Manager pro tem

(Recorded by Hannah Bradford)

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