

MINUTES

Eugene City Council
McNutt Room--City Hall

February 12, 1996
5:30 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 adjourned meeting of February 7, 1996, to order.

I. APPROVAL OF AGENDA AND TIME ESTIMATES

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to approve the agenda and time estimates as listed. The motion carried unanimously, 8:0.

II. WORK SESSION: MUNICIPAL COURT JUDICIAL EVALUATION PROCESS AND APPOINTMENT OF ASSOCIATE MUNICIPAL JUDGE

Sandy Franklin, Department of Public Safety, provided the staff report. In response to questions, Ms. Franklin confirmed that the proposed evaluation process had been in effect prior to a change by the former City Council.

Mr. Boles suggested a middle ground between the current and the proposed process, which would add an annual self-evaluation.

Ms. Keller said her concern was with the selection of the associate judge, which she would prefer be a selection process, rather than a confirmation by the council. Mr. Hornbuckle said responsibility for appointment of associate judges should be shared between the council and the primary judge.

Mr. Hornbuckle moved to change the selection process for associate judge so that the Municipal Judge nominated seven candidates to the City Council, which would select from those. The motion died for lack of a second.

The council discussed the applicable sections of the Charter, confirming that it gives the council authority to appoint and terminate municipal judges.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to direct staff to prepare ordinances with options for the evaluation process, including a self-evaluation.

Ms. Swanson Gribakov suggested it would save staff work to be specific about the evaluation process preferred by the council.

Ms. Swanson Gribakov moved, seconded by Mr. Laue, to amend the motion to call for a four-year formal, a two-year informal, and an annual self-evaluation process for municipal judges.

Ms. Keller argued that the suggested process was redundant. She said the self-evaluation should take the place of the two-year informal evaluation. Ms. Nathanson said it was important to have a checkpoint within the four-year cycle, clarifying that her comment was theoretical, and not directed at any current judge. Mr. Hornbuckle agreed, but emphasized that the appointment process was the primary issue and should be decided prior to discussing the evaluation process.

The amendment carried 5:3, with Mr. Hornbuckle, Ms. Keller, and Mr. Boles voting in opposition.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to add ten minutes to this item, adding the time to the meeting. The motion carried unanimously, 8:0.

The vote on the main motion was 6:2, with Mr. Hornbuckle and Ms. Keller voting in opposition.

Ms. Keller moved, seconded by Mr. Hornbuckle, to retain the current process for appointment of municipal judges.

In response to questions, Glenn Klein, City Attorney, read the relevant Charter section. He clarified that the Charter specified that the council "may" appoint, rather than "shall," leaving flexibility for the council to decide whether it chooses to appoint or delegate that authority.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to add seven minutes to this item. The motion carried 5:3, with Ms. Nathanson, Mr. Hornbuckle, and Ms. Keller voting in opposition.

Mr. Farr moved, seconded by Mr. Boles, to change the composition of the screening committee to be consistent with other ad hoc committees.

Ms. Keller stated that there was no consensus on the council on this issue. She suggested that staff review the points made, poll council, and bring this item back when decision points were known.

Ms. Keller moved, seconded by Mr. Laue, to table action on this ordinance. The motion carried unanimously, 8:0.

III. STATUS UPDATE: MULTI-YEAR FINANCIAL STRATEGIES

Warren Wong, Administrative Services Director, introduced the subject, reviewing the agenda packet memorandum. He said staff was suggesting council defer any changes until after the March election, other than discussions about community policing.

Ms. Nathanson asked what information would be included in the facilities report scheduled for April. Mr. Wong responded that the report would focus on facilities owned by the City. Ms. Norris added that some preliminary information would be available to assist the council to evaluate facility needs.

Ms. Keller asked what initiatives were being proposed for postponement. Ms. Norris responded that examples included the library, Amazon Pool, and parks. Ms. Keller noted that work on delineating open space acquisition was scheduled to begin in February, asking whether that work would be delayed. Ms. Norris said that was part of the discussion council needed to have.

Mr. Hornbuckle suggested referring an advisory vote for revenue options in May using preference voting. He said more revenues were needed and the vote would advise councilors and encourage candidates to voice their economic policies. Mr. Wong pointed out that time lines for a May ballot would necessitate developing a voters' pamphlet by next week.

Mr. Hornbuckle moved, seconded by Mr. Laue, to schedule an advisory vote using majority preference balloting as described for May to determine what voters prefer for new revenue sources.

In response to a question from Ms. Nathanson, Mr. Hornbuckle said the vote would not attach revenues to specific capital needs. Ms. Keller argued against the motion, saying it was a waste of time and energy. She said the council needed to provide leadership on new revenues.

Mr. Klein explained that a preference vote could not be placed on the State ballot. Mr. Hornbuckle argued that software to analyze preference voting data was available. Mr. Boles agreed with Ms. Keller that the City Council was elected to make decisions, and that it needed to come to consensus prior to any ballot referral.

The motion failed 7:1, with Mr. Hornbuckle voting in favor.

Mr. Laue moved, seconded by Mr. Torrey, to direct staff to fund community policing (Rapid Deployment Unit/RDU) for FY 97 from one-time resources, waiving pertinent financial management goals and policies.

Mr. Laue spoke to his motion, stating that this had been an acknowledged need when it was initially funded, and that it would be better to continue funding now, rather than sending this item through a lengthy budget process.

Ms. Keller argued that this motion was out of context, and that financial management was a whole system which should be approached in a systematic way. Ms. Swanson Gribakov said that although she wanted to pursue funding for the RDU, she did not believe this was the appropriate time to take

action. Ms. Swanson Gribkov also flagged for staff that she wanted to include discussion about the impact on the District Attorney's Office when this item was discussed. Ms. Nathanson clarified that the RDU and the street crimes unit were the same thing, asking for consistency in names. She agreed with Ms. Swanson Gribkov that action was not appropriate until after Budget Committee discussion and recommendations from the Council Committee on Public Safety (CCPS).

Mr. Laue consented to sending this item to the Budget Committee; however, he said council should be clear about how it wanted to fund the RDU, since it would require \$1 million if included in the regular budget process. Mr. Laue withdrew the motion.

Ms. Norris asked for direction about how to focus staff efforts, adding that this would influence substantial workload issues. Ms. Keller suggested a discussion at the trimester session, including items suggested for discontinuance that related to council goals.

Mr. Torrey reminded council to recognize the need to delete work when adding projects. Ms. Keller objected, stating that council had been consistent in its commitment to attach contingency funds to new items. Mr. Laue disagreed.

Mayor Bascom asked where the library and wetlands/open space items appeared on the priority list. Ms. Norris responded that those issues, along with other related items, would be included in the trimester session agenda. Mayor Bascom complimented staff for the work on this item, adding that the memorandum attachment contained important, though "sobering," information.

IV. CONSENT CALENDAR

- A. Approval of City Council Minutes of November 15, 1995, Lunch Work Session; November 27, 1995, Dinner Work Session; November 27, 1995, Meeting; December 4, 1995, Dinner Work Session; December 4, 1995, Meeting; and December 6, 1995, Lunch Work Session
- B. Ratification of Council Officers' Recommendations of February 7, 1996
- C. Appointments: Riverfront Research Park Commission
- D. Recommendations from Citizen Involvement Committee Concerning Eugene Celebration Steering Committee

Mr. Boles pulled the minutes from December 6, 1995, Lunch Work Session. Mr. Farr pulled item B, Council Officers' Recommendations, and Mr. Hornbuckle pulled item C, appointments to Riverfront Research Park Commission. These items were placed at the end of the agenda for discussion.

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

V. ORDINANCE CONCERNING CITY BOARDS, COMMITTEES, AND COMMISSIONS

Chris Andersen, Public Works Director, introduced the ordinance. She said the initial purpose of the change was to allow County representatives to serve on the Airport Commission, but it was broadened to permit greater flexibility across all City Boards and Commissions.

CB 4563—An ordinance concerning City boards, committees, and commissions, and amending Section 2.013 of the Eugene Code, 1971.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, 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 carried unanimously, 8:0.

Mr. Hornbuckle said the ordinance should include a clause specifying that the process could not be waived after it was started. Mr. Boles expressed concern that an ordinance was being changed to allow for a variation in one instance, opening the door for all committees. He said he would support allowing the council to waive the requirement in specific cases.

Mr. Boles moved, seconded by Mr. Torrey, to amend the ordinance, changing the words "appointive authority" in both instances to "City Council." The motion carried unanimously, 8:0.

Ms. Keller stated her agreement with the ordinance change, but said she did not support allowing members outside the urban growth boundary to sit on the Airport Commission, since it was financed by the City.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, that the bill as amended, be approved and given final passage. The motion carried unanimously, 8:0, and became Ordinance 20037.

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

VI. APPROVAL OF MINUTES

Mr. Boles asked that the minutes from December 6, 1995, be amended to identify each point and discussion prior to listing of each straw vote on pages 72-74 so that readers could understand what was being voted on.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to approve the minutes of December 6, 1995, Lunch Work Session, as amended. The motion carried unanimously, 8:0.

**VII. RATIFICATION OF COUNCIL OFFICERS' RECOMMENDATIONS OF
FEBRUARY 7, 1996**

Mr. Farr asked that his request to Council Officers be included in the record. He suggested this wording, "Councilor Farr forwarded a request from the CIC that the CIC chair be at the table for the CIC discussion to be held February 14. The request was denied."

Mr. Hornbuckle asked that discussion of Willamette Street (13th to 18th Avenues) be rescheduled for a date when he was available.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to adopt the council officers' recommendations as modified. The motion carried 7:1, with Mr. Boles voting in opposition.

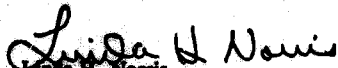
VIII. APPOINTMENTS: RIVERFRONT RESEARCH PARK COMMISSION

Mr. Hornbuckle stated that he had pulled this item so that he could vote against what he called "privatization."

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to approve the appointments to the Riverfront Research Park Commission. The motion carried 6:2, with Mr. Hornbuckle and Ms. Keller voting in opposition.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,


Linda H. Norris
City Manager pro tem

(Recorded by Hannah Bradford)

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