

## MINUTES

Eugene City Council  
McNutt Room--City Hall

February 14, 1996  
11:30 a.m.

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

The adjourned meeting of February 12, 1996, of the Eugene City Council was called to order by Her Honor Mayor Ruth Bascom.

### I. APPROVAL OF THE ORDER OF THE AGENDA

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to approve the order of the agenda. The motion passed unanimously, 8:0

### II. ITEMS FROM THE MAYOR, CITY COUNCIL, AND CITY MANAGER

#### A. Public Forum Schedule

Mayor Bascom noted that the next public forum is scheduled for March 4, adding that information on public testimony would be distributed in the February 15 council packet.

#### B. Bicycle Task Force

Mayor Bascom reported on her meeting with Public Works Director Chris Andersen and indicated that a bicycle task force will reconvene to address the problems raised by the council previously.

Mr. Farr raised the issue of safety, saying that bicyclists often fail to signal turns and do not use lights at night. He asked for a staff report on the number of citations issued to bicyclists. He also asked for clarification of who has the right-of-way on bike paths, which are used by pedestrians, skaters, etc. Mr. Farr also raised the issue of equitable distribution of the costs for supporting the use of bicycles, suggesting a bicycle license fee.

#### C. Cascadia Rail Stakeholders Meeting

Mayor Bascom noted that the Cascadia Rail stakeholders meeting was canceled due to inclement weather and it will be rescheduled for April.

**D. Conflict Resolution Center**

Ms. Swanson Gribskov reported on her meeting with a representative of the Pacific Research Institute which is working on a conflict resolution model with funding from the Hewlett Foundation. She flagged the item for further discussion as there is a role for the council in securing the funds. She noted that the Planning Commission will review the project.

**E. Sheriff's Levy**

Ms. Swanson Gribskov said she and Mr. Laue continue to work with the other jurisdictions on the Sheriff's levy and were also a part of the February 13 town hall meeting on the levy at South Eugene High School.

**F. Appreciation**

Ms. Keller expressed appreciation for the memorandum from Human Rights Commission (HRC) Chair Donna Albro, updating the council on the commission's activities, and suggested that the council's other standing committees do likewise. She also appreciated staff's update on the February legislative special session.

**G. Zoning Inquiry**

Ms. Keller said neighbors are concerned that the market at the corner of 19th Avenue and Jefferson Street is being turned into a tavern/casino and asked for a staff report.

**H. Contingency Fund Request--Low-Income Housing**

Ms. Keller asked the council to accept an application from St. Vincent de Paul to support a project in the Walnut Grove development for homes to be built by "Youth Built." There was council consensus to accept the application.

**I. Amazon Creek Planting**

Ms. Nathanson thanked all who participated in the tree planting event along the Amazon Creek.

**J. Streetlights**

Ms. Nathanson said she continues to work with staff on the cost issues for installing and maintaining streetlights, particularly when neighborhoods are willing to participate in the costs.

**K. Growth Management Study (GMS) Forum**

Mr. Hornbuckle flagged for discussion his concern about the need for a facilitator at the recent Growth Management Study discussion.

L. Lack of Diversity on the City's Boards and Commissions

Mr. Hornbuckle said the HRC's Committee on Education and Outreach has expressed much concern about the lack of diversity on the City's boards and commissions.

M. Proportional Representation

Mr. Hornbuckle distributed an article on proportional representation in the January 12, 1996, edition of *The Chronicle of Higher Education*.

N. Planning Commission

Mr. Boles reported on the last meeting of the Planning Commission, noting that Mr. Torrey was also a representative to the commission with respect to the GMS.

O. Growth Management Study Survey

Mr. Boles shared a memorandum from Ed Weeks, University of Oregon, who compared what the council was suggesting and what the original tabloids and forums revealed. Mr. Weeks presented three options: 1) wait to do the survey; 2) do it now, and complete the survey asking the same questions after the forum; and 3) conduct a random sample survey that assesses the urgency of specific issues identified through the tabloids. Mr. Boles flagged the issue for discussion after this agenda item, time permitting. He added that he has asked John Baldwin, University of Oregon, to attend a March 18 Planning Commission meeting to discuss a video tape on growth management.

P. Eugene Water & Electric Board (EWEB) Rate Increase

Mr. Torrey said citizens are concerned about EWEB's proposed rate increase and asked for a staff report on the rationale and methodology behind the increase.

Q. Ten Oregon Cities Surveyed--Public Participation

Mr. Torrey called attention to a report about ten cities in Oregon and urged the council to research the City of Portland model. The council endorsed the suggestion to provide the Citizen Involvement Committee the information for its review and recommendations.

R. Class Presentation

Mr. Torrey reported on a presentation made to his granddaughter's 5th grade class and thanked Ms. Nathanson for responding to letters from those students.

S. Staff Appreciation--Responsiveness

Mr. Laue expressed appreciation for staff, particularly the Public Works Department, for responding to his requests for assistance and to recent weather-related emergencies.



**T. Editorial**

Mr. Laue referred to the February 10 editorial in The Register-Guard. Responding to the "why" at the end of the piece, Mr. Laue said that it is his responsibility, if not his duty, to bring before the council anything that might advance the public's interest.

**U. Willamette Street Tree Removal**

City Manager Linda Norris said a memorandum explaining tree removal on Willamette Street due to construction would be distributed in the February 15 council packet.

**V. Atrium Dedication**

Ms. Norris announced a dedication of the third floor conference room in the Atrium to Jim Saul at 4 p.m. on February 16.

**W. Parkland Acquisition**

Ms. Norris said there may be an opportunity to acquire parkland in conjunction with the new Bethel School. Information will be distributed as soon as it is available.

There being sufficient time, the council returned to items flagged for discussion.

**D. Conflict Resolution Center (Continued)**

Ms. Swanson Gribskov asked for council support for scheduling a conflict resolution model for council discussion on a later agenda. At Mr. Hornbuckle's suggestion, the item will be processed by placement on the Council Consent Calendar. Ms. Keller expressed concern with the public's possible perception that the City was fostering a private in-group discussion of growth management. Mr. Boles shared Ms. Keller's concern.

**B. Bicycle Task Force (and Related Issues) (Continued)**

Mr. Boles addressed the issue of equitable distribution of costs between the automobile and bicycle, saying that automobiles are currently subsidized at a rate of 40 to 60 cents per mile driven, while the rate for bicycles is much lower.

Ms. Nathanson said she previously discussed conflicting bike paths with the City's Bicycle Coordinator and one of her suggestions was that they be called "paths" to instill in people the notion that they were intended to be intermodal.

### III. CONTINGENCY FUND REQUEST: MEDICAL ACCESS ASSISTANCE

Richie Weinman, Housing and Neighborhood Development Section Manager, said the contingency fund request came from Centro LatinoAmericano and the Sacred Heart Medical Foundation. The request would support an outreach worker to provide better access to medical services for specialized populations.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to direct the City Manager to enter into a contract for services needed to facilitate increased access to health care services for 5,000 low-income individuals, and authorizing the expenditure of \$7,500 from the Contingency Fund to cover the cost of the contract.

Ms. Swanson Gribskov thanked staff for including a summary of the Contingency Fund in the packet.

Mr. Boles noted that the services are for low-income citizens, with no "ethnic or cultural screen" on those who will be served.

Roll call vote. The motion passed unanimously, 8:0.

### IV. COUNCIL REVIEW: CITIZEN INVOLVEMENT COMMITTEE (CIC) CHARGE AND MEMBERSHIP ISSUES

Mayor Bascom enumerated the issues: 1) the authority as it related to the CIC and vice versa; 2) CIC membership selection; and 3) the breadth of the charge to the CIC.

City Attorney Glenn Klein called attention to the two legal opinions from his office contained in the packet. He added that under Goal 1, the current selection process should survive a legal challenge; however, there are no court cases that interpret the goal.

Mr. Boles addressed the question of authority, saying the council has the authority to accept or overturn recommendations made by its advisory boards. He expressed disappointment that the question of membership has been raised, recalling that the council's Committee on Boards and Commissions had developed a process for membership that guaranteed the broadest possible representation from the voters' pool. With respect to the CIC's charge, Mr. Boles said the CIC had been of immeasurable help in areas other than land use and he was not interested in restricting its charge.

Mr. Hornbuckle said the selection process did not seem to be working and ought to be reviewed. He noted that Scott Seibert has reported improper use of the voters' pool and asked for more information from staff. He agreed with Mr. Boles that the group's charge should not be limited to land use decisions.

Mr. Torrey agreed that a review of the selection process was in order. He expressed concern with CIC members' perception that they are ineffective

without authority. He too believed the group's charge should not be restricted.

Ms. Swanson Gribkov suggested that instructions on membership be re-issued and the council be kept apprised of the issue. She ascertained that the pool is updated annually.

Ms. Keller echoed earlier remarks, adding that the initial intent of establishing the pools was to empower the neighborhoods within the government and to generate additional volunteers. She expressed concern that the group's charge had evolved into approval of committee memberships, saying she expected it to be involved in systems analysis.

Ms. Nathanson said it may be desirable to change the mix on the CIC to five voter pool members and only four "insiders." She suggested as issues the group might be invited to analyze, the council's Monday public forums and automated information.

Mr. Farr introduced CIC members in the audience and supported Ms. Nathanson's suggestions for CIC involvement.

Mr. Laue agreed that the CIC's charge should not be limited and agreed with Mr. Boles' statement that the current membership system is open to all in the community.

Mayor Bascom said she favored limiting the CIC's charge to land use, but was intrigued with Ms. Nathanson's suggestion.

Mr. Hornbuckle said one of his concerns with membership from neighborhoods is that many are populated by renters who find it impractical to participate.

Mr. Boles reminded the council of projects the CIC has been involved in, specifically the high interest/low interest controversy flow charts. He expressed concern that if the group was given system analysis projects, direction be clear. Mr. Boles asked staff to distribute CIC's flow charts on how to process areas of interest to the larger community and the City system of boards and commissions.

Addressing Mr. Farr's concern with using an "open, well-publicized process," Peg Lasken, Planning and Development Department, described the selection process and distributed information on the advertisement campaign.

Ms. Swanson Gribkov encouraged the City to provide public information targeted at specific groups to help diversify the applicant pool. She suggested reviewing the County's citizen input process.

Ms. Keller said the City and CIC should study ways to make neighborhoods more effective, including what can be done to involve a wider range and number of people in the neighborhood pool by involving a wider range and number in neighborhood organizations.



Ms. Nathanson said that while the City is not following the State instruction to the letter, it should ask itself what the State intended. She noted that the council majority favored the broader CIC charge and suggested more frequent joint work sessions with the other council standing committees.

Mr. Farr called attention to the CIC's memorandum and asked for a written response from the council.

V. SCOPING PROPOSAL: PREFERENCE VOTING, SALARIED CITY COUNCIL AND WATER FLUORIDATION MEASURES

Ms. Keller opposed the scoping proposal, noting that there was already a signature threshold for initiatives that should not be changed on an ad hoc basis. If there is sufficient council interest in these issues, she added, they should be prioritized in a goal session. She noted that EWEB previously refused to put the fluoridation issue before the voters and it was inappropriate for the City to do so.

Mr. Boles said the signature-gathering effort was immaterial and he was willing to entertain the idea from any councilor to refer an issue to the voters. He agreed that it would be inappropriate to override EWEB's decision not to refer fluoridation. He added that he favored council discussion of preference voting.

Mr. Hornbuckle said the standard public process was "an election." He noted that the council has gone on record against paid petition signatures gatherers--something that discriminates against volunteers and it would be a bad precedent for the council not to provide recourse to citizens who have legitimate grievances against the initiative ordinance. He said that people need to have an opportunity to democratically debate their form of government.

Ms. Nathanson said that if something is referred to the voters by a body such as the City Council, it ought to be something the body believes is a good idea that represents "good legislation." To come to that conclusion, she added, it should be studied and recommended. Ms. Nathanson said this has not happened in either of the instances and it would be inappropriate for the council to proceed with them.

Ms. Swanson Gribskov agreed that moving forward with the issues would undermine the initiative process.

Mr. Torrey suggested using the council as a test of preference voting on issues appropriate within its activities deemed appropriate for that method of voting.

Mr. Laue said the only reason the council should discuss anything is if it is perceived as being in the public's interest. He said the request before the council was simply to hold the discussion.

Mayor Bascom noted that fluoridation was voted in by the initiative process in the 1960s and then voted out by the same process. She added that the council has carefully prioritized the items it wished to put on the ballot and it would be inappropriate to add these outside of that process.

Mr. Farr agreed with Ms. Nathanson's comments and expressed concern that preference voting would reform the structure of government, away from representation.

Mr. Laue moved, seconded by Mr. Hornbuckle, to direct staff to work with the Council President and Sarah Hendrickson to bring back to the council no later than March 6 options related to possible fluoridation of Eugene's municipal water system.

Mr. Laue said the authority for deciding this question rests with the people--not EWEB, not the council. He reiterated that the motion simply asked for an opportunity to have an informed discussion.

Ms. Keller moved the previous question. The motion to vote immediately passed, 6:2; with Mr. Laue and Mr. Hornbuckle opposed.

The main motion failed, 6:2; with councilors Laue and Hornbuckle voting in favor.

Mr. Laue moved, seconded by Mr. Boles, to direct staff to work with the Council President and Mr. Hornbuckle to bring back to the council no later than March 6 options related to proportional representation and council elections in the City of Eugene.

Mr. Laue reiterated that all he is asking is to have the discussion.

Ms. Swanson Gribskov said she opposed the motion but flagged her interest and support for Mr. Torrey's suggestion to use preference voting in a limited way within the council.

Mr. Torrey said he would support the motion if amended by limiting its use as he proposed earlier in the meeting.

Mr. Hornbuckle said the group promoting preference voting has done everything possible to put it forth and had brought it to the council after all else failed. He reviewed the number of seats on the council which had been filled by appointment or uncontested election races.

Ms. Keller said she opposed the motion and reiterated her suggestion for processing the issue through the council goals process.

Mr. Boles expressed support with the understanding that if the motion passed, the council discuss narrowing the focus of the motion, and that this is no more than an exercise to prepare material for discussion at the trimester session under the council's good government goal.



Mr. Laue said there was already an item on the trimester work plan related to preference voting and if the motion passed, he and Mr. Hornbuckle could give a progress report at that time.

Ms. Nathanson said some of the issues raised by Mr. Hornbuckle and Mr. Laue were broad and involved fundamental changes. She opposed the motion as it would require a "major effort by staff, by council members, and the community" and the issue was not urgent enough to begin the study now. She added that it was better to have this type of discussion in the abstract--outside an election season.

Mr. Farr expressed concern that the vast majority of the public would not understand the concept, should it go before voters.

Mayor Bascom shared Ms. Nathanson's concern with the large number of items already on the trimester agenda.

The motion passed, 5:3; with councilors Keller, Nathanson, and Swanson Gribbskov opposed.

## VI. OTHER

### A. Validation of Growth Management Survey

Mr. Boles called attention to Planning and Development staff's memorandum on validation of the Growth Management Survey and asked the council to drop Option 2.

Councilors Farr, Torrey, and Ms. Swanson Gribbskov, all of whom had mentioned concern, agreed to drop Option 2. Ms. Swanson Gribbskov clarified that she wished to return to the notion of random sampling.

Mr. Boles noted the issue would be addressed at the Planning Commission's February 19 meeting.

Ms. Keller left the meeting.

### B. Public Forums

Mr. Torrey moved, seconded by Mr. Laue, to direct the CIC to evaluate the ten communities in Oregon and their methods of allowing citizens to communicate with their elected bodies.

Ms. Swanson Gribbskov offered the following friendly amendment: adding Lane County to the list of public input methods. The amendment was accepted by both the motion's maker and second.

The motion passed unanimously, 7:0.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

*Linda H. Norris*

Linda H. Norris  
City Manager pro tem

(Recorded by Yolanda Paule)  
cc113014.026