

MINUTES

**Eugene City Council
McNutt Room—City Hall**

**April 29, 1996
5:30 p.m.**

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

COUNCILORS ABSENT: Nancy Nathanson.

Her Honor Mayor Ruth Bascom called the meeting to order.

I. APPROVAL OF THE ORDER OF THE AGENDA

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to approve the order of the agenda.

Ms. Keller and Mr. Hornbuckle objected to the motion because they had not been informed that the agenda had been adjusted to include item II, Items from the Mayor, City Council, and City Manager.

The motion passed, 5:2; Ms. Keller and Mr. Hornbuckle voting no.

II. ITEMS FROM THE MAYOR AND COUNCIL

A. Kakegawa Marathon

Mayor Bascom introduced Eugene residents who had participated in the Kakegawa marathon: Carolyn Kyle, John Schutz, and Steve Krestinger. Ms. Kyle, Mr. Schutz, and Mr. Krestinger briefly described their experiences.

B. Olympic Torch

Mr. Laue noted that he had been asked to represent the Mayor in ceremonies for the passage of the Olympic Torch through Eugene. He circulated a letter expressing support for Olympic ideals, and asked other councilors to sign the letter.

C. City Manager Recruitment

Mr. Laue distributed ballots for the selection of the City Manager recruiting firm, a later item.

D. Lorane Highway

Mr. Laus indicated that he would send a letter to Lorane Highway residents regarding the council's work session in May alerting them to the possibility that the street design could be altered.

E. Soccer Facility

Mr. Torrey flagged the proposed Razor Park soccer facility for further council discussion.

F. Rabbi Myron Kinberg

Mr. Torrey noted that the memorial service for Rabbi Myron Kinberg would occur on Wednesday, May 1, at the Community Conference Center.

G. Growth Management Study

Mr. Boles referred to the Growth Management Study and said that staff was awaiting the council's decision regarding the proposed June 18 public workshop. He reported that the follow-up survey had confirmed the results of earlier forums and questionnaires.

H. Fiesta Latina

Ms. Swanson Gribskov noted that Cinco de Mayo would be celebrated at the Fiesta Latina event to be held at Washington/Jefferson Park on May 3-4.

I. Local Street Plan

Ms. Swanson Gribskov said that she had attended a meeting of the Laurel Hill neighbors, and expressed appreciation to staff for working through the issues raised by neighbors in relationship to the Local Street Plan.

J. Bethel Area Tree Planting

Mr. Farr acknowledged the tree planting efforts at Bethel Park and the contributions of resident Denny Guehler.

K. Roosevelt Middle School

Ms. Keller said that a class at Roosevelt Middle School was studying local government. She said she had visited the class and was impressed with students' understanding of local issues.

L. Friends of Eugene/Springfield Habitats (FRESH)

Ms. Keller indicated that she would leave the council meeting early to participate in the FRESH open space meeting at Harris Hall.

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

E. Soccer Facility

Mr. Torrey moved, seconded by Mr. Hornbuckle, to direct the City Manager to prepare a proposal to the Lane County Fair Board for the possible siting of a temporary indoor soccer field at the exposition building and a possible permanent soccer center near or at the facility.

Mr. Torrey said that neighborhood opposition to the proposal had led him to reconsider its merits. He believed that his proposal would satisfy those concerns.

Mr. Boles expressed concern that the council had other options for the soccer facility prepared for its consideration by staff, and was scheduled to discuss the issue soon.

Mr. Boles moved, seconded by Ms. Keller, to table the motion until the item could be scheduled on a council agenda by the Council Officers. The motion failed, 4:3; Mr. Hornbuckle, Mr. Boles, Ms. Keller voting yes.

Ms. Keller believed it was inappropriate to act on Mr. Torrey's motion at this time. She said that the council did not have enough information about other alternatives and should hold a work session. She supported proceeding as previously planned.

Ms. Swanson Gribkov said that she was not prepared to support Mr. Torrey's motion because she did not know enough about the other options. She said she did have concerns about the proposed Razor Park site.

Mr. Laue moved, seconded by Mr. Torrey, to table action on the motion until May 15.

Ms. Keller moved, seconded by Mr. Boles, to amend the motion to postpone to change the date for action to the soonest possible meeting after the mayoral election. The motion to amend failed, 5:2; Ms. Keller and Mr. Boles voting yes.

The motion to table action on the motion passed unanimously, 7:0.

III. CONSENT CALENDAR

- A. Approval of the City Council Minutes of February 21, 1996, Trimester Work Plan Session; March 4, 1996, Dinner Work Session; March 4, 1996, Meeting; March 6, 1996, Lunch Work Session; March 18, 1996, Special Meeting; and March 20, 1996, Special Meeting

B. Resolution Concerning Issuance Authority for Public Safety Facility Bonds

Res. No. 4481—A resolution authorizing the issuance and sale of General Obligation Public Safety Facilities Bonds, Series 1996, in an amount not to exceed \$19,141,410 for the purpose of financing EMS/Fire Redeployment.

C. Resolution Concerning Issuance Authority for In-City Assessment Bond Sale

Res. No. 4482—A resolution authorizing the issuance and sale of limited tax improvement bonds, Series 1996-Q, in an amount not to exceed \$700,000 for the purpose of financing local improvements and refunding a line of credit.

D. Resolution Concerning Issuance Authority for Bond Anticipation Notes for the 1996 Santa Clara Sewer Project (Basins S, U, and X)

Res. No. 4483—A resolution of the City of Eugene, Lane County, Oregon, authorizing the issuance and sale of Santa Clara Bond Anticipation Notes, 1996 Series S in an amount not to exceed \$5,500,000 to provide interim financing of the Santa Clara Sewer Project (Basins S, U, and X).

E. Issuance Authority for the Sale of Special Assessment Improvement Bonds, 1996 Series N (Santa Clara Sewer Project Basins N, P, and R) in a Principal Amount of note more than \$5,500,000

Res. No. 4484—A resolution of the City of Eugene, Lane County, Oregon, authorizing the issuance and sale of Special Assessment Bonds, 1996 Series N, and the execution of an SRF Loan Agreement with the Department of Environmental Quality of the State of Oregon in an aggregate principal amount of not more than \$5,500,000.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to approve the items on the consent calendar. The motion passed unanimously, 7:0.

IV. ACTION: SELECTION OF CITY MANAGER RECRUITER

Mr. Laue reviewed the results of the council ballots.

Mr. Laue moved, seconded by Mr. Torrey, to drop the firm of Norman Roberts and Associates from further consideration and rebalot for the firms receiving the most votes. The motion passed, 6:1; Mr. Hornbuckle voting no.

Mr. Laue reported that the ballots indicated majority support for the firm of David M. Griffith and Associates.

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to select the firm of David M. Griffith and Associates as the recruiting firm for the City Manager position.

Mr. Hornbuckle opposed the firm's selection because it had been involved in previous Eugene recruitments. He said that the City needed a recruiter who was not already connected to Eugene.

Ms. Keller said that if Ms. Norris was not applying for the position, she would feel differently about the firm. She thought the firm's selection would turn some candidates away because it would have the appearance that Ms. Norris had the "inside track" on the position because she had been previously recruited by the firm.

Ms. Swanson Gribakov supported David M. Griffith and Associates because of the firm's knowledge of the area. She pointed out that Ms. Norris's recruitment had occurred several years ago.

Mr. Torrey indicated that he supported David M. Griffith and Associates based on the firm's success in handling the city manager recruitment for the City of Corvallis.

Mr. Boles indicated that he would support the motion.

Mr. Farr noted his agreement with Ms. Swanson Gribakov's remarks.

Mr. Laue supported David M. Griffith and Associates based on the firm's previous experience in Corvallis and on the research Mr. Donaldson did on the City Charter.

The motion passed, 6:1; Mr. Hornbuckle voting no.

IV. BRIEFING ON UPCOMING PUBLIC HEARING ON PROPOSED METRO PLAN AMENDMENT FOR SHORT MOUNTAIN LANDFILL

Cathy Czerniak, Planning and Development Department, provided background on the proposal. She noted the concerns expressed by the Springfield and Eugene planning commissions about the proposal and said that the commissions had recommended the addition of three criteria to the proposed policy explaining the extension: 1) connection is to a public facility; 2) the facility was in place prior to the adoption of the Metro Plan; and 3) the facility primarily serves the needs of the metropolitan area. Ms. Czerniak noted that Lane Community College also met those criteria. She said that the attorneys for the three jurisdictions were reviewing the proposed criteria and may make recommendations for text changes.

Ms. Czerniak briefly noted issues of process and timing. She said that if the proposal was approved by all three elected bodies, the County would need to wait for the appeal period to expire and then seek approval from the Lane County Local Government Boundary Commission for the extraterritorial extension. She said that if the three jurisdictions do not approve identical amendment text, the proposal will be forwarded to the Metropolitan Policy Committee (MPC) for resolution.

Mr. Boles asked if the additional staff analysis would be provided to all three jurisdictions. Ms. Czerniak said yes—Eugene staff had provided the information to the Springfield and Lane County staff and requested that the information be provided to all elected officials.

Mr. Torrey asked if the council would have all alternatives for dealing with leachate available for review. Ms. Czerniak clarified that the council would receive all the information currently available on the alternatives that have been studied by Lane County.

Ms. Keller requested information about the costs associated with the various options. She said she had heard that the County was considering transferring ownership of the landfill to a private party, and asked for information about whether that was currently under consideration or may be under consideration in the future, and the ramifications of such a transfer.

Ms. Keller requested an analysis of what development pressures may exist along the route of the proposed sewer line.

Mr. Boles asked staff for information about how long the issue has been under consideration by the County. Ms. Czerniak said that the Cascade report regarding the landfill leachate problems had been done in 1993. Mr. Smith added that changes in Federal law in early the 1990s spurred the need to examine options for leachate removal.

Mr. Boles asked if the Eugene Planning Commission had intended that the added criteria could be applied to allow LCC to connect to the line. Ms. Czerniak said that the Planning Commission cited LCC as an example of a facility fitting the criteria.

Mr. Boles asked about the length of the proposed line. Ms. Czerniak said that the line was to be 7-1/2 miles long.

Responding to a question from Mr. Farr regarding the anticipated flow and line size, Mr. Smith said that the proposed line would be four inches in diameter and could accommodate a flow of 120,000 to 130,000 gallons per day. Staff anticipated flow to the treatment plant of approximately 30,000 gallons per day. Responding to a follow-up question from Mr. Farr, Mr. Smith said that Lane County Waste Management would construct a sewer line and small storage lagoon on-site that would only be used in case of emergency.

Mr. Farr asked if the proposed line could serve residential development. Mr. Smith responded that the line could be used for residential development particularly in conjunction with a lagoon system. Otherwise, the line was not readily sized to handle domestic, untreated sewage.

Ms. Swanson Gribakov asked who would pay for the sewer line, and for information about the cost of the line. Ms. Czerniak indicated that she would have cost estimates at the public hearing.

Ms. Swanson Gribakov asked if the proposal had been discussed by the Metropolitan Wastewater Management Commission. Mr. Smith said no. He pointed out that the proposed discharge would be to the Eugene collection system, and would be regulated by the City's industrial pretreatment program. He said that those regulations were administered by city and were more stringent than those of the Metropolitan Wastewater Management Commission. He said that the commission adopted standards, and the cities must adopt comparable or better standards.

Ms. Keller asked who would regulate discharge to the line. Mr. Smith said Eugene would regulate discharge to the line.

Ms. Swanson Gribakov asked about other alternatives considered by the County. Ms. Czerniak said that information about those alternatives would be included in the hearing packet.

Mr. Laue asked if it was necessary to have a four-inch pipe to move 30,000 gallons per day. He also requested information about the life of the Short Mountain landfill. Mr. Laue asked if LCC's sewage lagoons could be used to treat the leachate. He requested information about hazardous materials that might be carried through the line, and other alternatives that could be used to treat the leachate, such as poplar trees. Ms. Czerniak indicated that additional testing of the leachate was being conducted, and staff hoped to have those results in time for the hearing.

Mr. Boles asked for information about the status of the Creswell wastewater treatment plant.

Mr. Boles asked for a legal opinion about the City's ability to tie the existence of the line to the continued operation of the landfill.

Mr. Boles requested information about the timing and urgency of the proposed amendment, the consequences of denying the proposal, and the procedures that would be used by MPC in the resolution of disagreements.

Mr. Hornbuckle referred to testimony submitted about the proposal by Friends of Eugene and asked for information about the ability of the treatment plant to handle the proposed additional effluent.

V. MULTI-UNIT RENTAL HOUSING TAX EXEMPTION PROGRAM

Richie Weinman, Planning and Development Department, provided background on the program, and reviewed staff recommendations for its modification: 1) tie low-income housing subsidies to gross rents; 2) increase application fees; 3) create zones with the program borders; 4) develop a three-tiered approach that included a maximum, minimum, and medium subsidy based on the degree of public benefit involved; and 5) to accept pending applications for processing under the previous program parameters.

Ms. Keller indicated support for the program, which she believed had been instrumental in the location of housing in downtown. She stressed that the program was not a low-income housing program, but a program to rejuvenate downtown, and was essential for that purpose. She believed that the program needed modifications. Ms. Keller supported a low-income housing fee to put pressure on builders; She expressed concern about the program boundaries, particularly as they regarded the West University neighborhood and Skinner Butte area. She suggested that the "but for" criteria not be eliminated, but that the application fee be increased so that staff had more resources to determine whether applications actually met the criteria. Ms. Keller asked if there was a similar home ownership program available to residents. She advocated for involvement of residents potentially affected by development proposals for multi-unit housing.

Mr. Boles said that the application fee was within purview of the city manager, and was intended to cover the costs of administering the program. He suggested that it be adjusted immediately if it was not covering the City's costs. He asked if there had been a change in the way in which proposals were submitted to the council, recollecting that there was more notice previously. In response, Mr. Weinman said that proposals had never been submitted to the council with the expectation that they would be "rubber-stamped," but were processed on a case-by-case basis. Mr. Boles said that the council needed to have further discussion about the program before people invest time and money in submitting applications. He said that the City should not accept further applications for the program until the council's discussion was complete.

Mr. Farr expressed a desire to see the program directed more toward low-income housing. He did not support a change in the rules for pending applications.

Ms. Swanson Gribskov supported the staff proposal. She pointed out that the council had considerable time and money invested in its work on the west end project, and suggested that it be included on the list of pending applications.

Ms. Keller left the meeting at 7 p.m.

Mr. Torrey agreed with Ms. Swanson Gribskov's remarks regarding the west end project. He asked if the City had the ability to perform an independent feasibility analysis on applications. He asked if the "but for" criteria exist in the State rules for similar programs. Mr. Torrey asked about the value of pending applications.

Responding to a question from Ms. Bascom, Mr. Weinman reviewed the list of pending applications.

Mr. Weinman said that an application had not been filed for the west end project, but the citizen advisory committee had understood that the program was in place and had assumed that an application for the project would be filed when development plans reached that point.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to direct staff to prepare revisions to the Multi-Unit Rental Housing Tax Exemption Program in a manner consistent with the council discussion of the issues, including the program boundary area, application fee, low-income housing fee, and rent-up period; and to request the council officers to schedule the item for discussion before the council's summer break.

Mr. Laue praised the program and said that the council can make adjustments as needed to the program, as well as change fees and boundaries as needed.

Mr. Hornbuckle opposed the program, saying it was not in the public interest. He did not believe that a subsidy was required to ensure that housing was built downtown. He suggested that the City could contract for low-income housing construction and sell the housing to the public.

Mr. Boles moved, seconded by Mr. Laue, to amend the motion to direct staff to process applications to the program from Guard Publishing, Klingensmith, and the West End project under existing program guidelines, and to not accept any further applications until the council has revisited the program.

Responding to a question from Ms. Bascom, City Attorney Glenn Klein indicated that the amendment to the motion could be legally implemented.

Mr. Torrey opposed the amendment, suggesting that it was tantamount to questioning the validity of the program now in place. He said he would not like to think that the amendment would preclude someone from making a decision to construct downtown housing. He said that the amendment constituted a moratorium.

Mr. Laue asked how much advance notice staff received of applications, and how long applications took to process. Mr. Weinman said that staff received occasional inquiries about the program, but the inquiries did not always lead to applications. He said that staff has 180 days under the law to process an application, and the council generally received applications about two months after submittal.

The amendment to the motion passed, 4:3; Mr. Boles, Ms. Swanson Gribkov, and Mr. Hornbuckle voting no, and Mayor Bascom cast a tie breaking vote in favor of the amendment.

Ms. Swanson Gribkov moved, seconded by Mr. Laue, to amend the motion to discuss the issue prior to summer break. The amendment to the motion passed, 5:1; Mr. Farr voting no.

Mr. Farr indicated he would be unable to support the main motion because of the amendments.

The main motion passed, 4:2; Mr. Farr and Mr. Hornbuckle voting no.

The meeting adjourned at 7:20 p.m.

(Recorded by Kimberly Young)
cc30.046

Respectfully submitted

Linda H. Norris

Linda Norris
City Manager pro tem