

## MINUTES

Eugene City Council  
Trimester Work Planning Session  
McNutt Room--City Hall

July 31, 1996  
5:30 p.m.

**COUNCILORS PRESENT:** Tim Laue, Shawn Boles, Kevin Hornbuckle, Barbara Keller,  
Nancy Nathanson, Jim Torrey.

**COUNCILORS ABSENT:** Pat Farr, Laurie Swanson Gribakov

Her Honor Mayor Ruth Bascom called the special meeting to order at 5:40 p.m.

### I. APPROVAL OF AGENDA AND TIME ALLOCATIONS

Mr. Laue moved, seconded by Mr. Torrey, to approve the agenda and time allocations. The motion carried 4:1, with Ms. Keller voting in opposition, and Ms. Nathanson out of the room.

Mayor Bascom reminded the council of the ground rules for trimester work sessions, that each item be completed before proceeding to the next item, and that any requests to pull a recommendation for discussion be made at the beginning of that goal area.

### II. PUBLIC SAFETY GOAL

Ms. Nathanson joined the meeting at 5:45 p.m.

#### A. Staff Recommendations

1. EMS Service and Funding Plan - Status Report
2. Work Program Adjustments:
  - a. Traffic signal pre-emption - extend time line for installation

Mr. Laue moved, seconded by Mr. Boles, to approve staff recommendations under the public safety goal.

Mr. Boles expressed concern about extending the time line for installing traffic signal pre-emption, stating that the City was far behind the original schedule. Dave Whitlow, Department of Public Safety, responded that maintenance and rehabilitation work on signals had been a factor in delaying the project. Ms. Nathanson added that she had talked to staff and was satisfied that the delay was not significantly impacting the emergency response system.

The motion carried unanimously, 6:0.

**B. Trimester Discussion Items**

**1. Safer Schools Evaluation**

Mr. Whitlow explained that the proposal to change the evaluation design and timing was outlined in the staff report.

Ms. Keller and Mr. Boles expressed appreciation for the work on this item. Ms. Keller said she would like to see the evaluation come back to the council; however, she did not see a need for the council to be involved in the details of baseline establishment. Ms. Nathanson expressed support for the proposal and advised a review of the benchmarks of the Oregon Progress Board.

Mayor Bazoom told the council that Councilor Laurie Swanson Gribakov had asked her to delay a vote on any item on which there was significant disagreement.

Mr. Laue moved, seconded by Mr. Boles to direct staff to proceed with the Safer Schools recommendation, including a hiring process for two additional police officers assigned to the program.

Mr. Boles suggested that parent representation be included in constructing the evaluation.

The motion carried unanimously, 6:0.

Mr. Whitlow asked whether the council wanted to be involved in the establishment of the evaluation. Ms. Nathanson expressed support for the idea of the council meeting with the full school boards to discuss broader policy issues. Mr. Boles agreed, adding that he would support an informal as well as a formal meeting with the school boards to discuss a larger range of issues which could be developed by the Council Committee on Intergovernmental Relations (CCIGR). Mr. Boles also suggested a council checkpoint in the evaluation process. Ms. Norris suggested a mid-point check point and another discussion toward the end of the process.

### III. GOVERNMENT GOAL

#### A. Staff Recommendations

##### 1. Telecommunications Plan - status report

Ms. Keller reported that the CCIGR would be working on the telecommunications plan issue with the Council Committee on Telecommunications (CCT). Ms. Keller stated that the City of Portland was moving forward on this, and supported the idea of revising their plan, rather than starting from scratch. Mr. Boles reported that the CCT had not yet met as a full committee. He asked the council to provide some direction about an entrepreneurial base to get a return on investment for the community on the existing infrastructure. He said this approach was different from Portland.

Randy Kolb, Information Services Division Director, commented that the CCT will prepare some policy recommendations for the council, including the potential of the City as a landlord or provider.

Ms. Nathanson pointed out that the telecommunications plan would have implications for zoning and land use. She flagged the council that it could add another set of issues to an already loaded department.

Mr. Torrey expressed support for maintaining all options, including the possibility of the City as provider. Ms. Norris added that this question would need to be decided fairly quickly. Ms. Norris also related that videotapes from recent telecommunications conferences were available for viewing.

Mr. Kolb reported that Jan Childs, Planning Director, had been added as a member of the core staff planning team because of land use implications.

Mr. Torrey suggested that the Eugene Water & Electric Board (EWEB), the Springfield Utility Board (SUB), and the City of Springfield be included in discussions of a possible joint venture.

In response to a question regarding process, Mayor Bascom asked how the council would like to proceed on the issue of adding additional items.

Ms. Keller moved, seconded by Mr. Boles that councilors be allowed to introduce new items under each goal, for possible discussion at the end of the meeting. The motion carried unanimously, 6:0.

Ms. Keller added the following items for possible further discussion: 1) a reminder that strategy 2 under the government goal is to provide stability of funding, 2) strategy 5, particularly around high speed rail dollars, and 3) strategy 6, infrastructure, progress updates.

#### **IV. HOUSING GOAL**

##### **A. Staff Recommendations**

##### **1. Housing Code - Status Report**

Mr. Laue moved, seconded by Mr. Boles, to approve the staff recommendation on the Housing Code.

Ms. Nathanson expressed concern that the project would involve writing a housing code from scratch, a huge task for an already stretched staff. She suggested finding a way to adopt the State housing code by reference, adding what is needed locally. Ms. Nathanson indicated that the committee might review the State code and identify potential gaps. Dick Gassman, Planning and Development Department, responded that he had understood council's direction to be "adapting," not "adopting" State standards.

Ms. Keller called the time extension "unacceptable," noting that the problem has become acute. She said it was critical to deal with a housing code component more quickly, even it means adopting the State code as an interim measure. Mr. Boles agreed, adding that he expected more initiative from staff when projects begin to "drag."

Mr. Laue asked what the implications for enforcement would be if the council adopted State code. Ms. Norris responded that the enforcement question would require research. In response to Ms. Keller and Mr. Boles, Ms. Norris said the delays were due to resource issues and that council had been informed of the delays. Mr. Gassman speculated that adopting State code, then adapting it could save time, but could not estimate the time frame without some research.

Ms. Keller moved, seconded by Mr. Boles, to amend the motion to direct staff to prepare an ordinance adopting the State housing code on an interim basis, including a local mechanism for enforcement and fee collection and asking staff to move forward, working with the current committee on any adaptations that need to be made subsequently.

Ms. Norris suggested that staff review the State code and make adaptations prior to bringing an ordinance to council. She said staff could report at the first meeting in September to let the council know how long adaptations would be likely to take. Ms. Keller agreed. Mayor Bascom noted that Ms. Swanson Gribakov had asked that a vote on this item be delayed until she could be present. Ms. Boles pointed out that Ms. Swanson Gribakov's proxy had given the Mayor discretion.

The motion to amend carried unanimously, 6:0.

The main motion passed unanimously, 6:0.

## B. Trimester Discussion Items

### 1. Sanitation Task Team Scoping Report

Mary Walston, Council and Intergovernmental Services Division, presented a brief background and outline of the report. She said the proposal was that the Human Rights Commission (HRC) be the sponsor of the process. She said members of HRC had agreed to form a committee, which would include neighborhood leaders, social services agencies, the Homeless Action Coalition, public safety staff, business representatives, city councilors, city councilor-elects, and others. Ms. Walston reported that the committee would expect to come back to council in mid-October with an action plan.

Ms. Keller suggested expanding the charge of the committee to look at a larger portion of the problem. Mr. Boles objected to the complexity of the process, suggesting that the council authorize portable toilet facilities to be put to use immediately. Mr. Laue remarked that there were several issues with siting portable toilets, including vandalism, maintenance, and the potential of unwanted activities. Mr. Hornbuckle commented that Icky's had volunteered a site for a temporary toilet. He expressed frustration that the issue has taken so long. Mayor Bascom pointed out that Europe and Japan had upscale public toilets in visible places, suggesting that the committee consider that type of solution.

Ms. Norris responded that one idea was to site the facilities on City sites that are staffed around the clock, such as fire stations.

Ms. Walston said a shorter time frame would mean limiting participation in the decisions. Ms. Norris remarked that staff could look for sites if the council wanted to narrow the scope of the issue, but advised the council to involve stakeholders.

Mr. Boles moved, seconded by Ms. Keller, to extend the time on discussion of this goal by five minutes. The motion carried unanimously, 6:0.

Mr. Boles suggested moving forward to place portable toilets at supervised public facilities right away; using the committee process to locate additional sites. Ms. Norris clarified council direction, to look at public facilities to site portable toilets and work with stakeholders on other sites, bringing back a recommendation in September.

Ms. Nathanson pointed out that 70-75 percent of the ground work had already been done, acknowledging staff work. Mr. Laue asked that staff bring the "down side" issues back with the proposal in September.

Ms. Keller flagged the following item for further discussion: 1) strategy three, promoting home ownership opportunities, particularly in targeted neighborhoods.

## V. TRANSPORTATION

Mayor Bascom pointed out that there were no staff recommendations or trimester discussion items under this goal at this time.

Mr. Boles said he would like an opportunity to review progress on the issue of bike lanes. Ms. Keller pointed out that she had not received written information about the West Eugene Parkway.

## VI. LAND USE GOAL

### A. Staff Recommendations

1. Council Committee on Environment and Economics Scoping Reports
  - a. Fire and Building Code Changes
  - b. Wetland Mitigation Bank Funding

Ms. Keller pulled the Land Use Code Update item for separate consideration. Mr. Boles pulled the Systems Development Charge Review item for separate consideration.

Mr. Laue moved, seconded by Ms. Keller, to adopt the staff recommendations for wetland mitigation bank funding.

Mr. Hornbuckle expressed opposition to the motion, noting that wetlands mitigation had not been successful in West Eugene.

The motion carried 5:1, with Mr. Hornbuckle voting in opposition.

2. Work Program Adjustments
  - a. Land Use Code Update

Ms. Keller noted that this project had already been extended, emphasizing the need to update the code sooner, rather than later, in the building boom. She suggested hiring replacement workers for processing land use applications, so that project staff could be dedicated to the project.

Ms. Childs confirmed that when staff conflicts arise, priority must be given to code requirements for processing applications. In addition, Ms. Childs said the Department Advisory Committee (DAC) was taking its responsibility very seriously. She said the committee was committed to drafting a code that was not just regulatory, but comprehensive and easy to understand and use by all parties. Ms. Childs stated that this level of work by the DAC could reduce the time the Planning Commission will need to review the draft.

Ms. Keller moved, seconded by Mr. Boles, to ask staff to research what it would take to maintain the December 1997 deadline for the completion of the Land Use Code Update.

Ms. Childs stated that it was very unlikely, even with additional resources, that the DAC could complete its work by December of 1996 as originally planned. She then reviewed the rest of the schedule, including review, public review and hearings by the Planning Commission, revisions and recommendations to the City Council, public hearings and adoption by the council, training of staff, and education of the community, prior to the effective date of July 1, 1998.

Mr. Torrey stated that he would vote against the motion based on the information that the DAC would not be able to reduce its time line.

Mr. Lane said he understood the complexity of the issue and asked what was the down side to the delay. Ms. Childs responded that needed revisions to some processes would be delayed.

Mr. Boles expressed support for the motion. Mr. Boles objected to the delay, stating that the result would be a good land use code in an environment in which none of the suggestions had been followed in the preceding two or three years. Mr. Boles also suggested bringing forward any process changes needed in the interim.

After confirming the names of committee members, Mr. Hornbuckle asked whether a majority had development interests. Ms. Childs responded that development interests did not make up a majority of the committee.

Mr. Boles moved the previous question. The motion carried unanimously, 6:0.

The main motion failed 4:3, with Ms. Keller, Mr. Hornbuckle, and Mr. Boles voting in the affirmative, and Mayor Bascom breaking the tie by voting in opposition.

Mayor Bascom suggested that the council revisit the issue when Ms. Swanson Gribakov could be present.

Ms. Childs confirmed that staff would present timing options to the council in September.

b. Systems Development Charge (SDC) Review

Mr. Boles asked whether it made sense to conduct the review outside of the Growth Management Study (GMS).

Public Works Director Chris Andersen explained that the issue is primarily one of resources. She said the plan was to implement the new system prior to the next construction cycle. Ms. Norris added that the GMS will not address pricing methodology specifically, but only pricing on a high level.

Mr. Boles moved, seconded by Mr. Hornbuckle, to instruct staff to take resources required from current SDC funds for administrative activity to move up the time line for SDC review.

Ms. Andersen stated that the issue was not dollars as much as competing workloads for staff with the necessary expertise. She said revisiting the methodology was a significant work activity, and she would need to report back to council about the possibility of impact on other projects that involve the same key staff.

Ms. Keller spoke against the motion, stating that a three-month extension was not that critical. Ms. Keller also remarked that SDC charges do not adequately cover the costs they are intended to cover, so using the fund was not a solution.

The motion failed 4:2, with Mr. Boles and Mr. Hornbuckle voting in the affirmative.

c. Airport Vicinity/Highway 99 Plan

Mr. Boles asked the status of commitments by property owners to pay for a portion of the study. Ms. Childs responded that, as she recalled, reimbursement was to take place as properties were annexed after the process was completed. Mr. Boles suggested that Ms. Childs review previous agreements. Mr. Torrey asked to see copies of the materials Mr. Boles was referencing.

Ms. Keller clarified that the proposal was to suspend the public review until direction is received from the GMS. Ms. Keller expressed support for the proposal, adding that the time line should not be extended, but the project should be taken off the work plan until direction is received.

Ms. Keller moved, seconded by Mr. Torrey, to remove the existing March 1997 deadline on the Airport Vicinity/Hwy 99 plan and await further council direction on the GMS. The motion carried unanimously, 6:0.

(Mr. Hornbuckle left the meeting at 8 p.m.)

d. Fire and Building Code Changes

Denny Hellesvig, Planning and Development, reviewed the item and options as outlined in the staff report. Mr. Hellesvig pointed out that the State had been considering a similar change, but decided to postpone it to the next legislative cycle. Mr. Hellesvig told the council that a very small percentage of facilities use hazardous process piping.

Ms. Keller pointed out that both staff and the Council Committee on Economic and the Environment (CCEE) were unanimous about the need for this code change. She suggested the council consider option #3, and apply the rule consistently to all applicants.



Ms. Keller moved, seconded by Mr. Boles, to adopt alternative #3, that the City of Eugene establish a permanent rule regulating hazardous process piping in all occupancies requiring such piping. The rule would be effective for new construction and for any alterations of any hazardous piping and related equipment.

Mr. Boles expressed support, noting that this item had been brought to council from the community.

Ms. Nathanson asked if it would be difficult to change the rule to be consistent with the State when a permanent state rule is adopted. She also asked why, if the piping is so rare, did it take 1.0 FTE to regulate it. Mr. Hellesvig responded that the Hyundai plant is expected to change tools often, requiring regular inspections.

Ms. Norris suggested the council implement this as an ordinance, keeping the administrative rule in place until the ordinance takes effect.

The motion carried unanimously, 5:0.

Mr. Boles suggested that, given the potential hazards associated with the piping, that the council consider charging 110 percent of actual costs, with 10 percent to be managed by risk services for potential catastrophes.

Ms. Keller asked that the "80/20 rule" be added for further discussion.

#### B. Trimester Discussion Items

##### a. Park and Open Space Land Acquisition

Ms. Andersen presented the proposal, stating that staff recommends proceeding with the elements that can be completed right away, including financial analysis, refinement of the acquisition list, and use of the community survey as a way to gain clarity about community support for acquisitions.

Ms. Keller moved, seconded by Mr. Torrey, to direct staff to refine the project list and examine a financial strategy for land acquisition, including a proposed bond measure in the \$40 million to \$80 million range by November 1996.

Mr. Torrey expressed a desire to connect this process to the GMS. Ms. Nathanson expressed concern that the timing which, with community policing at the same time, could dilute community attention.

Ms. Andersen suggested that the range of funding could be decided later without changing the current work activity. Ms. Keller argued that this was an area in which the community had indicated the City has not met the need, and that adding the financial range was one way to make the proposal more firm.

Ms. Andersen responded that the proposal was an attempt to avoid confusion by waiting to begin the

public process.

By friendly amendment the motion was changed to read as follows:

Ms. Keller moved, seconded by Mr. Torrey, to direct staff to utilize the remaining contingency funds allocated for this project to proceed with three elements of the next phase: 1) financial analysis, 2) refinement of the acquisition list, and 3) use of the special questions section of the annual community survey in the fall to gauge public awareness and support around this issue. The motion carried unanimously, 5:0.

2. Scoping Report: Natural Resources Special Study for Eugene

Nell Björklund, Planning and Development, presented background and reviewed the options as outlined in the written report. He asked council for direction on which option it preferred, noting that there would be impact on the staff work program.

Ms. Keller suggested proceeding with option #1, adopting only the waterway setback provisions of the 1993 Natural Resources Functional Plan (NRFP) within the city limits, and scoping option #2, adding other provisions and recommendations of the 1993 NRFP within the city limits.

Mr. Boles asked about the option of deleting areas outside the city limits and adopting the study. Mr. Björklund responded that the inventory was done in 1977-78 and would need to be updated. In addition, he said maps and policies would need to be revised. Mr. Björklund explained that option #1 had been developed to reflect staff's understanding of the council's priority. He also noted that due to the age of the inventory work, some public involvement would be necessary in the revision.

Mr. Boles expressed support for option #1, but questioned whether a protracted citizen involvement component was needed, since core issues remained unchanged.

Ms. Keller moved, seconded by Mr. Boles, to ask staff to move forward with option #1, bring back a revised budget that lessens the amount of citizen involvement to hearing status, and tightens up other items and scoping for portions covered under option #2 for reconsideration. Bring back option #3 at a trimester session in the next year, reviewing County progress on natural resources.

Ms. Childs pointed out that option #1 involved moving forward with applying a new district. She cautioned the council that a lengthy protracted series of appeals could result from shortened public involvement at the front end.

Ms. Keller stressed the need to reach a balance that would allow forward movement without heavy costs and time, with an adequate amount of public involvement.

Mr. Björklund explained that the two-person months of citizen involvement would likely take the form of open meetings, as in the West Eugene Wetlands model. In response to a question from Mayor Bascom, Mr. Björklund said option #1 would mean 1) taking out all areas not within the City

limits, 2) revising the inventory to make it current, 3) developing a policy plan, and 4) mapping a sizeable rezone.

By way of friendly amendment, the motion was revised as follows:

Ms. Keller moved, seconded by Mr. Boles, to ask staff to move forward with option #1.

Mr. Laue expressed concern about funding. Mr. Torrey pointed out that funding issues would come back to council after the trimester session.

The motion carried unanimously, 5:0.

3. CCEE: Disposition of Remaining Recommendations

Ms. Walston told the council that the CCEE was asking that council schedule a work session on the remaining work items in the following areas: 1) wastewater/industrial pretreatment, 2) fire/building code, and 3) environmental impairment insurance. Mr. Torrey stated that he did not support an affirmative vote on any of the items, but was in favor of having the full council consider them.

Ms. Keller moved, seconded by Mr. Boles, to ask council officers to schedule a council work session on the items on the list for discussion as whether to move forward.

Mr. Boles supported the motion, stating that the issues were brought up because of interest by certain members, and it was important for the full council to discuss them.

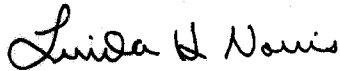
Ms. Nathanson suggested that there was no need to discuss the motion if it was going to be held until Councilor Swanson Gribakov was present.

Citing Ms. Swanson Gribakov's request that action on controversial issues not occur until she was present, Mayor Bascom postponed action on the request until Ms. Swanson Gribakov was present.

Ms. Norris suggested that the leftover items could be added to Wednesday's agenda or to a later meeting.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,



Linda H. Norris  
City Manager pro-tem

(Recorded by Hannah Bradford)

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