

MINUTES

Eugene City Council
McNutt Room--City Hall

September 11, 1996
11:30 a.m.

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

COUNCILORS ABSENT: Nancy Nathanson.

The adjourned meeting of September 9, 1996, of the Eugene City Council was called to order; Her Honor Mayor Ruth Bascom presiding.

Mayor Bascom introduced a delegation of children from Eugene's Sister City Irkutsk, Russia, including their teacher and principal.

I. APPROVAL OF THE AGENDA AND TIME ESTIMATES

Mr. Laue moved, seconded by Ms. Swanson Gribakov, to adopt the order of the agenda and time estimates. The motion passed unanimously, 7:0

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

A. Public Safety Coordinating Council

Ms. Swanson Gribakov reported on activities of the Public Safety Coordinating Council during the council summer break.

B. Growth Management Study Open House

Ms. Swanson Gribakov wondered if arrangements had been made to display the Growth Management Study open house materials at the Eugene Celebration. City Manager Linda Norris confirmed that arrangements had been made, adding that the display will also be installed at various times at Valley River Center after the Celebration.

C. Council Committee to Finance Affordable Housing

Mr. Farr reported on the committee's work, noting the committee wished to conduct a survey. He flagged the issue for further discussion at the end of this agenda item, time permitting.

D. Housing Policy Board

Ms. Keller said that Eugene Water & Electric Board (EWEB) representatives brought before the Housing Policy Board, at this morning's meeting, its plan to impose systems development charges (SDCs) to cover additional infrastructure that would be required by growth. Ms. Keller noted that SDCs were, by their structure, regressive, with lower cost housing paying a disproportionate amount. She flagged the issue for further discussion at the end of this agenda item, time permitting.

E. Riverfront Research Park

Ms. Keller expressed concern about including a restaurant in the schematic plan in the Riverfront Research Park area, noting that the plan was developed prior to the passage of Ballot Measure 4, which created a more natural passive/recreation area in east Alton Baker Park. She said she would raise the issue at the end of this agenda item, time permitting.

F. Proportional Representation

Mr. Hornbuckle noted that the Board of Supervisors in San Francisco had put the issue of proportional representation on the ballot. He added that the Democratic Central Committee in the bay area endorsed the measure. He encouraged voters to get in touch with their counterparts in San Francisco to help support more democratic representation measures.

G. Scobert Park

Mr. Hornbuckle said that his main point of contention with the closure of Scobert Park is that once again poor people are deprived of a place to go and exist. He asked the City to look at alternatives to closing the park, and particularly, at providing public bath rooms.

Mr. Boles said the park needed a rest and it would be closed. In the interim, he added, a series of meetings for interested parties have been arranged. The first of those meetings is scheduled for 7 p.m. this evening at Whiteaker School. Mr. Boles asked for a status report on providing public bath rooms.

Later in the meeting, Ms. Norris said public bath rooms have been located at 3rd Avenue/Lincoln Street and 2nd Avenue/Chambers Street and three other sites are being evaluated.

H. Hillary Clinton's Visit

Mr. Hornbuckle said he did not support the hoopla over First Lady Hillary Clinton's visit to Eugene, adding that her husband has not attempted to craft an urban policy that would help alleviate troubles "dumped on the cities." He indicated that councilors on the local activist mailing list would receive

information on specific reasons why President Clinton's policy on the environment is more destructive than any of the last 12 years.

Mayor Bascom said she accompanied the First Lady back to the airport after her speech at South Eugene High School and welcomed the opportunity to speak about several issues with her.

I. Historic Trail Event

Mr. Boles asked the council to discuss Deputy City Manager Les Lyle's memorandum regarding hosting the Historic Trail Event at the end of this agenda item, time permitting.

J. Drug Free Zones

Mr. Torrey noted that the City of Richmond, Virginia, has implemented a "Drug Free Zone" program in its schools and asked staff to research such a program for this community. Mayor Bascom said that the City of Ashland also has such a program. Mr. Farr said that the City of North Bend also had such signs. Ms. Norris said she would check into this.

K. Dog and Skateboard Ban

Mr. Torrey asked for periodic reports on the dog and skateboard ban in specific areas imposed by the City recently.

L. Staff Appreciation

Mr. Laue thanked Fire/EMS staff for their quick action in extinguishing three fires in the south Eugene area.

M. Forest Conference

Mayor Bascom reported on a Forest Conference held locally with representatives from the City's sister city of Kakegawa, Japan, which she hosted.

N. Holt International Conference

Mayor Bascom reported on the Holt International Conference held locally over the weekend with representation from 16 countries. The event focused on international law around inter-country adoption.

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

I. Historic Trail Event (Continued)

City Attorney Glenn Klein outlined the three options open to the City Council described in the memorandum, saying the first was the simplest to implement.

Mr. Boles said this is not the last time the issue would come before the council and it made sense to find something that would provide the council with a mechanism for dealing with it in the future. He said he favored Option 2.

Ms. Keller agreed with Mr. Boles' choice, saying it enabled development of criteria to apply to special events.

Mr. Torrey also supported Option 2.

Ms. Swanson Gribakov said Option 2 would require more time to implement. She supported Option 1, adding that Option 2 could be scheduled as a work plan item and addressed later.

Mr. Boles moved, seconded by Ms. Keller, to adopt Option 2 from Les Lyle's September 11, 1996, memorandum to the City Council.

Mr. Torrey agreed with Ms. Swanson Gribakov that the council needed a timely response, given the imminent Historic Trail Event.

Addressing their concern, Mr. Boles said the development of criteria has historically been set outside of the ordinance and under the administrative purview of the City Manager.

Mayor Bascom asked for clarification of the current ordinance. Mr. Klein said there are two issues: 1) the prohibitive camping ordinance, which allows the Mayor to declare an emergency and thereby exempt activities from that prohibition; and 2) the park ordinance, which has no exemption based on a declaration of the Mayor. Addressing a follow-up question from the Mayor, Mr. Klein said, if asked, he could add another exemption for Mayoral declaration to each of the ordinances without modifying anything in the existing one.

The motion passed unanimously, 7:0.

C. Council Committee to Fund Affordable Housing (Continued)

Mr. Farr moved, seconded by Ms. Keller, to approve \$3,000 from Contingency to fund a survey to help the Council Committee to Fund Affordable Housing determine sources of funding for low-income housing most acceptable to the community.

Mr. Boles said he opposed the motion because the council has had this issue before it for three years and the funding options had been explored. He referred the committee to the Community Survey for the community's position on affordable housing.

Mr. Hornbuckle said he would ask, rhetorically, if this was a case of the City campaigning for an issue. He said he was unsupportive unless the survey included questions testing the voters' opinions on progressive taxation to fund affordable housing.

Committee Chair John Van Landingham described the survey, saying it asked people whether they supported, for affordable housing purposes, one of the following: 1) a five-year property tax serial levy; 2) a business license tax; or 3) an emissions tax.

Ms. Keller defended the committee's funding request, saying the proposed survey is specific to the committee's task and it would be very helpful. She urged support of the motion, adding that the committee needed the answers to questions posed by the survey before it could make a recommendation to the council.

Ms. Keller moved, seconded by Mr. Hornbuckle, to extend the discussion by ten minutes, with the time to be taken from Item IV. The motion failed, 4:3, with councilors Boles, Torrey, Laue, and Swanson Gribkov opposed.

The main motion passed, 5:2; with councilors Boles and Hornbuckle opposed.

There was insufficient time to address the other issues flagged for further discussion. Mayor Bascom offered to have Council Officers review the issues.

III. WORK SESSION/ACTION: LAND USE CODE UPDATE

Teresa Bishow, Planning and Development Department, provided the staff report and introduced members of the Land Use Code Update Department Advisory Committee (DAC) present. Ms. Bishow said the committee would discuss why the project was initiated, what progress has been made, and ask for the council's direction regarding the time line, resources, scope, and the advisory committee's role. She noted that the Land Use Code comprised about 40 percent of the entire municipal code and dealt with every aspect of land development, including how plans are amended and how the chapter (9) can be updated or amended. She said the update was undertaken partly because over the years the City has accumulated 29 different types of land use applications, each with its own section in the code. The result is a set of regulations that are difficult to understand. She recalled that the council had identified, in initiating the project, the need to eliminate unnecessary regulations, particularly those that add to the cost of housing. Finally, she said, taking a broad look at the code can help ensure that it does promote economic vitality, environmental integrity, and social equity.

Ms. Bishow described the material contained in the packet, including three alternatives/options. She said staff recommends Option A, which extends the project by six months and does not require any new resources.

Committee Chair Jonathan Stafford, an architect, detailed his frustration in using the current code, which he described as poorly organized. He explained the importance of doing the best and most complete job in updating the code, adding that the committee unanimously supported the staff's recommendation.

Committee members John VanLandingham, Jennifer Guard, and Heidi Sachet, also spoke in favor of staff's recommendation. Ms. Bishow distributed a chart illustrating the time line of the Growth Management Study (GMS), TransPlan Update, and the options for updating the Land Use Code.

Several councilors praised the work of the project team and the committee. Ms. Keller shared that issues related to the code had led her to run for office. Although she had hoped the current council could adopt an updated code, she urged adoption of Option A, emphasizing the importance of doing a thorough job.

Mr. Boles asked the council to consider the unintended consequences of delay. If it is so important to the council, he said, it should rank the sections of the code and address them sequentially. He expressed concern with further delays, noting that design standards have been on the council's agenda for several years and it has yet to act on them. He urged council support of the current time line, increasing resources as needed, and ranking the code sections and addressing them sequentially.

Ms. Norris said staff discussed the notion of referring each section, as it is completed, to departments, the Planning Commission, and the council for review. One of the difficulties in doing that is that some changes in a later section affect what has been done in an earlier section. Ms. Norris did not recommend adopting the update in that way.

Ms. Swanson Gribskov expressed support for Option A, saying Chapter 9 tied into both the Growth Management Study and TransPlan—two major City efforts. She said the work must be approached comprehensively but encouraged those involved in the project to identify issues that can be addressed discretely.

Mr. Torrey spoke in favor of Option A and appreciation for Ms. Keller's comments.

Mr. Hornbuckle agreed with Mr. Boles that the sections should be ranked to make the work more manageable, adding that if it was not possible to sequence the work, it would be evident very soon and not much time would be wasted.

In response to a question from Mr. Hornbuckle, Ms. Bishow said that site issues as well as exploring design standards are a part of the comprehensive update programs in Options A and C.

Addressing a question from Mr. Farr, Mr. Stafford said that he did not know if the DAC could complete the draft update with the six month extension since the project staff are also responsible for reviewing land use applications. He said the extended time line still presents an ambitious project but it is nonetheless possible, given the committee's dedication. Committee member Jennifer Guard cited insufficient staff resources as an impediment.

Mr. Farr asked for more frequent council updates if Option A is adopted.

Mr. Laue expressed support for Option A, saying he was concerned about fragmenting the committee's process.

Mr. Laue moved, seconded by Ms. Swanson Gribzkov, to direct staff to adjust the project time line, resources, scope, and role of the DAC as outlined in Option A.

Mr. Boles stated his opposition, reminding the council of the unintended consequences of not having a revised land use code over the next two years as development occurs at "record pace." The larger issue is, he said, how do we ensure sustainable quality of our built environment across time.

Ms. Keller expressed support, acknowledging that timeliness was an issue but noting other options such as stop-gap measures and moratoriums to protect the environment. She emphasized that long-term problems would best be addressed in the comprehensive code review and the result would be a realization that there is more land within the urban growth boundary (UGB), eliminating the need to expand its borders.

The motion passed, 5:2; with Mr. Boles and Mr. Hornbuckle opposed.

IV. WORK SESSION/ACTION: CURBSIDE YARD DEBRIS COLLECTION OPTIONS AND COLLECTION SYSTEM/RATES DISCUSSION

Nancy Young, Planning and Development Department, provided the staff report, saying there are two issues for the council's consideration: yard debris and collection system/rates.

Curbside Yard Debris Collection Options

Ms. Young said a study conducted by an environmental consulting firm found that Lane County ranked third in yard debris recovery in Oregon, behind Metro and Jackson County—both of which currently have curbside yard debris collection programs. If such a program were to be implemented in this area, she said, the amount of yard debris being put into garbage containers would decrease by 2,200 tons per year. This represents about 8 percent of Eugene's waste stream but less than 1 percent of the total waste generated in Lane County. Ms. Young said that the most effective way to manage yard debris is with on-site management. She reviewed the options, saying staff recommends 1(a): Select alternative strategies to increase yard debris recovery without a curbside collection program, with staff selecting alternatives and reporting to the council prior to implementation.

Solid Waste & Recycling Collection System and Rate Criteria

Ms. Keller described her personal experience with composting and recycling, saying that 50 percent of her yard debris is hard debris that does not break down very quickly, so it is a problem.

Ms. Swanson Gribzkov said the City needs to make sure it can process the debris once it is collected. She supported implementing a pilot project as an intermediate step. She also recommended an educational program and year-round distribution of Earth Machine composters. Ms. Keller noted that BRING Recycling offered the composters year-round.

Mayor Bascom described previous municipal efforts in recycling yard debris. She said one of the problems is that businesses that recycle yard debris have been asked by the Department of Environmental Quality (DEQ) to address a leachate problem before expanding their programs.

Mr. Boles asked for an explanation of the \$28,000 annual cost associated with running an additional garbage truck per week on each street. He said the issue of collection should be addressed in the larger context of assigned territories for haulers.

Mr. Farr supported staff's recommendation.

Ms. Norris said another option discussed is for City yard debris pick-up twice a year.

Ms. Keller said the issue affects the entire community, adding that for many it is very much an economic issue. She said curbside pick-up is the best alternative and staff might consider quarterly neighborhood yard debris pick-ups, with distribution back to neighborhoods after the debris has been chipped. She favored Option 1b.

Mr. Hornbuckle agreed with Ms. Keller that curbside pick-up is the best solution for most people, but should be done more often than quarterly—perhaps twice a month. He expressed interest in Mr. Boles' idea of penalizing those who put yard waste in the waste stream.

Ms. Swanson Gribakov asked to add the implementation pilot project to Option 1a to determine the response rate, how well that material would be processed, and what the associated costs would be. She reiterated her interest in an educational program and said a departmental advisory committee might be valuable.

Jack Hoag, *Rexius*, said the capacity issue is real. Water quality standards are changing and that is also an issue for processors. He said these were not problems in the long term and recommended an incremental approach to minimize the impacts.

Mr. Farr said he favored a regular pick-up program, particularly in the spring and fall. He suggested this as one of the options under 1(a).

Ms. Norris recommended Option 1(a), with staff looking at other options for other alternatives to curbside pick up.

Mr. Laue moved, seconded by Ms. Keller, to direct staff to proceed with alternative strategies to increase yard debris and organics recovery and to explore a periodic curbside collection program.

Mr. Boles encouraged an education program around curbside recycling that emphasizes financial consequences for not choosing to recycle.

The motion passed unanimously, 7:0.

Ms. Swanson Gribakov asked to include a pilot project among the alternatives staff will analyze. The council agreed.

The council chose to postpone discussion of Eugene's Solid Waste & Recycling Collection System and Rate Criteria to allow sufficient time for council comment.

Ms. Keller moved, seconded by Ms. Swanson Gribakov, to maintain the status quo (Staff Option 2c). The motion passed, 4:3; with councilors Boles, Hornbuckle, and Laue opposed.

The meeting adjourned at 1:30 p.m.

Respectfully Submitted,

Linda H. Norris

Linda H. Norris
City Manager pro tem

(Recorded by Yolanda Paule)
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