

MINUTES

Eugene City Council  
McNutt Room--City Hall

April 26, 1995  
11:30 a.m.

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

COUNCILORS ABSENT: Nancy Nathanson.

The adjourned meeting of April 24, 1995, 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. Keller, to approve the order of the agenda. The motion passed unanimously, 7:0.

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

A. Whiteaker Plan, Land Use Board of Appeals Findings

Mr. Boles said the council's next packet would a self-guided map guide as well as include associated materials on the Whiteaker findings. The map, he said would address all three of the issues associated with the action and would point out successful and unsuccessful developments.

B. High-Speed Rail

Mr. Boles said he testified before a legislative subcommittee about a bill that would give the State bonding authority for \$100 million supporting the reconstruction of roadway crossings in conjunction with high-speed rail.

C. Guns Near Schools

Mr. Torrey reported that the Federal Supreme Court this morning overturned Federal law prohibiting guns within 1,000 feet of any school. He wondered if there were any State and local laws regarding guns near schools. The issue was flagged for discussion after the item, time permitting.

D. National Secretary's Day

Ms. Swanson Gribbskov expressed appreciation for the City staff support she has received, noting this is National Secretary's Day.

**E. Dissertation**

Ms. Swanson Gribskov said she has completed work on her doctoral dissertation and expressed appreciation for the understanding she has received from council and City staff in her transition onto the City Council.

**F. Student Body President**

Mr. Farr announced the election yesterday of his son as student body president at Cascade Middle School.

**G. Public Works**

Mr. Farr expressed appreciation for the Public Works Department, saying staff has responded to Bethel area needs, specifically for considering increasing the priority of the traffic light at Barger Drive and Terry Street.

**H. Beltline Road Interchange**

Mr. Farr said that area residents have expressed concern that the installation of the new Beltline Road interchange will shift the problem to Royal Avenue. He said he believed that running a bike path parallel to Royal to Barger would help by diverting students crossing at Royal Avenue.

**I. Traffic Calming**

Mr. Hornbuckle reported that a raised bump has been installed as a traffic calming measure across an alley on north 8th Avenue between Olive and Charnelton streets, and questioned if it was legally permitted.

**J. Election**

Mr. Laue urged support of two local bond measures on the ballot being distributed this week.

**K. Mayor's Response**

Mayor Bascom said her response to Bill Morrisette regarding the composition of the Metropolitan Wastewater Management Commission (MWWMC) is included in this week's council packet.

**L. Amtrak Cascadia Forum**

Mayor Bascom reported on her recent trips to Seattle, Portland (honoring Senator Mark Hatfield), and Salem.

**III. SOLID WASTE AND RECYCLING SYSTEM REVIEW**

**A. Staff Presentation**

Kelli Osborn, Planning and Development Department, introduced the topic and reviewed the packet material. She described the following disadvantages of the City's current hauling system: 1) erosion of roads; 2) moderate to high residential rates compared to similar communities; 3) noise and air pollution; and 4) liveability issues in neighborhoods such as frequently having streets lined with garbage receptacles and recyclables. The advantages of the multiple hauler system were identified as follows: 1) customer choice of hauler; 2) City only involved with customers when dissatisfied with hauler; 3) haulers often ahead of regulations in offering services; and 4) many container and service choices. Ms. Osborn noted the City was among the first in Oregon to offer commercial recycling, but behind other communities with regard to yard debris collection.

Ms. Osborn said the City's 1989 ordinance placed a cap on the number of licenses issued to protect locally operating haulers and promote consolidation, which resulted in a reduction of haulers to 10 from more than 20 prior to 1989. She said the ordinance also established rate-setting criteria, ensuring that the rate covered the cost of recycling and would provide a reasonable rate of return above the average cost of service to haulers. She noted that system and rate issues have come before the council several times, including a council request in 1991 to consider assigned territories for haulers. In response to council direction in October 1994 to review the collection system, Ms. Osborn said staff conducted a customer survey, since there was insufficient time to convene a citizen advisory committee and the charge was unclear. Survey results indicated that customers were very satisfied with their service, but staff acknowledged customers did not have all available information. Even among the small number who found their service poor, there was no support for having the City expend resources in examining the collection system at this time.

Ms. Osborn said staff reviewed recycling goals adopted by the council a few years ago and determined that any system can be structured to meet them, including the current one. She called attention to the options developed by staff and asked for council direction.

#### B. Council Discussion

Addressing a question from Ms. Keller, Ms. Osborn said that the "do nothing" option would redirect staff to other tasks and continue handling the collection system as it does now. Option 2 would direct staff to work with haulers and community members to review other rate-setting criteria and possibly add other collection standards, including a more aggressive yard debris recovery program.

Ms. Keller wondered what the two counties more successful than Lane County were doing differently. Ms. Osborn said Benton County's success likely was related to its yard debris curbside collection in Corvallis. She said that the metropolitan area also had a yard debris collection program and much had been spent on education. She noted the area had an estimated \$30 surcharge on disposal fees allocated for recovery programs.

At Ms. Swanson Gribkov's request, Ms. Osborn explained the various types of recycling depots, including a contract with Rexius to recover yard debris. Ms. Swanson Gribkov said she was struck with the 91 percent satisfaction rate, and questioned the need to address the issue given the council's other priorities.

Mr. Boles said the hauling system could be addressed in the council goals process. He said customers did not question where the garbage goes after it disappears from the front of their homes. He expressed particular concern about damage to the streets and said the council should focus on assigned territories, despite the charter constraints.

Mr. Hornbuckle said the council should focus on the public safety issue-- additional trucks on the road. He encouraged the council to consider having the City provide the service.

In response to a question from Mr. Laue, Ms. Osborn said the annual wasteshed recovery rate was based on 1993 figures, with no trends identified. Mr. Laue noted the lack of historical data for both Lane and other counties.

Mr. Farr expressed support for Option 2, adding that competition gives customers choices and forces efficient, competent service.

Mr. Torrey asked for the cost of implementing Option 2, with the addition of yard debris recovery. Ms. Osborn said most of the costs would be borne by customers and haulers, with the City's costs limited to staffing and consultant costs for planning and implementation.

Ms. Keller agreed with others that the system should not be changed, given that it was working for people. She supported Option 2 but said neighborhood depots were impractical.

Mr. Laue moved, seconded by Ms. Keller, to direct staff to proceed with Option 2.

Mayor Bascom expressed support for Option 2, with an emphasis on a yard debris recovery program.

Ms. Swanson Gribkov suggested a pilot before implementing a yard debris recovery program citywide.

Ms. Swanson Gribkov offered the following friendly amendment: to drop Part A from Option 2.

Mr. Torrey asked Ms. Swanson Gribkov to consider dropping B-2 in her friendly amendment. The changes were accepted by the maker of the motion and the second.

Ms. Osborn expressed concern that the rate issue will continue to "dog" staff and also that residential rates are already high and yard debris curbside

service would add \$3 or \$4 a month to the average bill. She said that not addressing cost issues threatens support for waste recovery programs.

In response to a question from Mr. Boles, Ms. Osborn said it may be possible to set up yard debris curbside service as a customer option.

Mr. Boles asked that the staff report on the council's land use goal include staff's input on how important cost containment is so the council can reconsider the issue.

Addressing a question from Mr. Farr, Ms. Osborn said there is no limit to how large one hauler can grow.

Mr. Hornbuckle moved to amend the motion to include a staff report analyzing the costs entailed if the City was the provider of the service. The motion to amend failed for lack of a second.

Mr. Hornbuckle voiced his objection to a reference to the City as an "organization."

The motion passed, 6:1; with Mr. Hornbuckle opposed.

Ms. Osborn announced that the City had successfully competed for a \$2,400 grant from the Department of Environmental Quality to help finance an awareness program and home composting demonstration sites.

#### IV. WORK SESSION: PARKS IRRIGATION TURF MAINTENANCE

##### A. Staff Presentation

Chris Andersen, Public Works Director, said the City is approaching the third summer in its parks irrigation reduction program, which was approved in the Eugene Decisions process. The reduction has resulted in much community concern and the council has asked for an opportunity to review that decision. Ms. Andersen said there was very little staff could do to modify the program later in the season and asked for the council's direction.

Ms. Andersen displayed a map to give the council an idea of the geographic distribution of the parks in question, including high priority sites--either community centers or high activity areas. She flagged for the council the relationship between the reduced maintenance for the existing park system to the Systems Development Charges (SDC) process. She explained that the rates are developed based on the level of acreage in developed park sites that exist for the level of the population base at a given time. Ms. Andersen said there was a conflict between increasing the acreage and the need to develop those acres of parkland as they are acquired to be consistent with the SDC program at the same time that the City is reducing maintenance to existing systems.

##### B. Council Discussion

Mr. Boles said his understanding of the SDC relationship is that to get a rate algorithm there must be standards imbedded in an adopted plan. Ms. Andersen explained that the City must also have those standards in place.

Mr. Torrey linked the park irrigation issue to the council's goal on government.

In response to a question from Mr. Hornbuckle, Ms. Andersen said the capital cost for restarting the irrigation program was \$15,000 for 14 parks, which would go for repairs to the system and additional damage that may require additional funding.

Mr. Hornbuckle said increased vandalism in the parks can be attributed to the apparent message that the City does not care about its parks.

Addressing a question from Ms. Swanson Gribkov about Washburn and Westmoreland parks, staff indicated that reduced maintenance at those parks accelerated the damage to the existing systems. Ms. Andersen said retrofitting the systems included installing computerized watering systems that have proved efficient in maintaining both the plants and turf.

In response to a follow-up question from Ms. Swanson Gribkov, Ms. Andersen said the legislation that supports the creation of SDCs says local government can establish a rate that insures the development that creates the increased demand in a Citywide system pays its share of that incremental increase. The rate is based on established plans.

Ms. Keller said she was supportive of reinstating irrigation and expressed concern that a park was being lost in Mr. Hornbuckle's ward.

Mr. Boles recalled that this was a difficult Eugene Decisions decision that was not done on an ad hoc basis and should not be replaced on an ad hoc basis. He noted that the issue of street grading directly impacts the City's ability to move emergency vehicles. He said the council should reconsider and rank the entire list of Eugene Decisions issues and consult the Budget Committee.

Mr. Hornbuckle agreed with Mr. Boles that the alley program also needed to be restarted.

Mr. Hornbuckle moved that the council direct staff to expend \$191,000 to restart the irrigation program from General Fund Contingency, processed through Supplemental Budget #3. The motion failed for lack of a second.

Ms. Swanson Gribkov reminded the council that this was a time-sensitive issue that affected a great number of citizens, and urged support for restarting parks maintenance and irrigation.

Mr. Laue moved, seconded by Ms. Keller, to reinstate irrigation in 14 parks, authorize a one-time expenditure of \$15,000 for systems rehabilitation from FY95 General Fund Contingency to be processed

through Supplemental Budget #3, and direct the City Manager to submit funding options in conjunction with the Public Works Development Services budget presentation on May 15 to the Budget Committee. This would be an annual ongoing maintenance expenditure for irrigation costs, fertilizer, turf mowing, and maintenance, including 1 FTE, Park Specialist II position (\$45,000 per year).

Mr. Boles reiterated his concern about reversing Eugene Decisions decision on an ad hoc basis.

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

#### V. APPROVAL OF INTERGOVERNMENTAL RELATIONS (IGR) COMMITTEE MINUTES

Mr. Boles said the committee postponed a recommendation on personnel-related bills until after the legislative session for two reasons: 1) there was no rationale in an already adopted resolution as to who handles those types of bills and who does not; and 2) the council should consider developing general labor policies.

Linda Lynch, Council and Intergovernmental Services Director, said that today was the last day for committees to hear bills in the house of origin, and passing the school funding bill was the major budget issue to resolve.

Mr. Boles moved, seconded by Mr. Torrey, to approve the recommendation of the IGR Committee that the council take no action on how personnel-related bills are handled, and by whom, until the IGR Committee issues its report.

Mr. Hornbuckle expressed concern that this is the third time the item has come before the council and each time staff's representation on the agenda summary has been inconsistent with the others. He said he looked forward to assisting the IGR Committee in developing a policy.

The motion passed unanimously, 7:0.

At Ms. Swanson Gribkov's request, Mr. Boles reminded the council that priority 1 is a recommendation for high-level involvement from elected officials and/or staff; priority 2 involves staff, possibly at the executive level; priority 3 involves monitoring legislation; and a rating of "drop" is given to bills that do not affect the City.

Mr. Boles presented the issues receiving a split vote in the IGR Committee.

#### SB799. Increase Prevailing Wage Exemption

Mr. Boles said there was a three-way committee split on this bill, adding he continued to oppose raising the amount of contracts to which the prevailing wage rule applies.

Mr. Torrey supported the bill, saying that raising the level to \$100,000 was a matter of efficiency.

A straw vote to oppose SB799 at a priority 2 level resulted in majority support, 5:2; with Mr. Torrey and Mr. Farr representing the minority.

HB3334/HB3426. Repeal State "Kicker" Refund and Transfer Surplus to Schools

Mr. Boles explained that the issue was whether the "kicker" should be retained by the State. He said the majority committee position was to have the State retain it.

Mr. Torrey said he opposed the majority position because the Legislature should follow through on its commitment to the public to return surplus funds and make a decision about how to handle any future surpluses.

A straw vote revealed that the council majority favored having the State retain the "kicker." Mr. Hornbuckle and Mr. Torrey represented the minority.

HB3107. Raise Personal/Corporate Income Tax, Double Standard Deduction

Staff indicated this was moot as the Legislature had already decided not to act upon it. The council agreed it was a moot point.

HB3186. Raise Domestic Violence Fund

Mr. Boles said the committee was split on this bill.

Mr. Torrey said he was opposed to raising the marriage fee and allocating the increase to the domestic violence fund, adding it seemed that the problem was anticipated and paid for in advance.

Mr. Hornbuckle said it was a form of regressive taxation--a user fee. He said the funding was not logically attached to causes of domestic violence.

Mr. Boles asked for priority 2 support of the bill. There was majority support, 5:2; with Mr. Hornbuckle and Mr. Torrey representing the minority.

SR#1. National Optimum Population Commission

Mr. Boles explained that this Senate Resolution calls for creation of a National Optimum Population Commission chaired by the vice president.

Mr. Torrey said he was opposed to the resolution because of its terminology, specifically the word "optimum," adding that he was also opposed to having the US vice president appoint the committee.



Mr. Hornbuckle said he was opposed because the solution to overpopulation is public health.

Ms. Keller agreed with Mr. Hornbuckle, adding she also had a problem with the term "optimum." She said she favored increasing funding for population control.

Given the discussion, Mr. Boles suggested removing the item from council consideration and instead circulating a statement for councilors to sign if they choose to do so. He added that if people do not make the "decision about population, nature will."

#### SB750. Collective Bargaining

Mr. Boles indicated that staff recommended a priority 2 support.

Mr. Torrey was supportive of staff's position.

Ms. Keller said she was opposed because the bill limited the right to collective bargaining.

Mr. Boles asked the council to oppose the bill at a priority 2 level.

The council majority agreed with the staff recommendation, 4:3; with councilors Boles, Keller, and Hornbuckle representing the minority.

#### HB2404. Temporary Employees get Benefits After 90 Days

Mr. Boles said the committee majority vote was to support this bill at a priority 2 level. He said there were a substantial number of employees that while called "temporary," remained in the City's employ for years without access to benefits. He urged the council to support the bill.

Mr. Torrey said he was opposed to the bill, believing it addressed an administrative manner. He noted that the council would have a say in addressing the issue of temporary employees in the budget process. He said the State should not dictate how the City deals with this matter.

Ms. Swanson Gribkov said she agreed that long-term employees should have benefits, adding that the issue raised many questions for her. Staff clarified that the bill referred to employees of temporary agencies, adding that only about 25 percent of the City's temporary employees are from such agencies and there would be a pass-through cost increase.

Mr. Farr said that when temporary or seasonal employees work beyond 90 days, the bill would greatly increase the employer's overhead. He opposed the bill.

Ms. Keller noted that the council has long been supportive of the creation of living wage jobs. She said the trend nationwide toward temporary employees

was robbing people of benefits, which comes back to haunt jurisdictions in the form of people who cannot afford housing and have no medical benefits.

Addressing a question from Mr. Laue, staff indicated that the bill was currently in public hearing. Mr. Laue said he was opposed to the way the bill was framed.

Mr. Hornbuckle agreed with Ms. Keller, saying she made a good moral argument and an argument for efficiency.

Mr. Boles said the majority committee was to support at a priority 2 level. The majority on the council agreed with the committee position, 4:3; with councilors Farr, Laue, and Torrey representing the council minority.

HB3095. PERS Define Police/Fire Eligibility by Rule

Mr. Boles said the majority on the committee position agreed with the staff position but could not decide who should be asked to represent that position at the legislature.

He asked the council to support the bill at a priority 2 level. The council majority agreed, 5:2; with councilors Farr and Torrey representing the council minority.

Mr. Farr explained that he was opposed to changing staff's recommendation to support at a priority 1 level.

HB3145. Electronic Monitoring of Employees

Staff indicated the bill "was dead." The council expressed interest in voting on the bill anyway.

Mr. Boles explained that the bill would require posting notice if employees are electronically monitored, e.g., programming a computer to record the speed and accuracy of a typist, or recording conversations at customer service counters.

Mr. Boles said the majority committee position was to support at a priority 2 level. The council agreed with the committee's position unanimously, 7:0.

Mr. Boles moved, seconded by Mr. Torrey, to adopt the IGR Committee's minutes of April 7 and 14, 1995, including the reconciliation of the split-vote items as decided by the council at this meeting. The motion passed unanimously, 7:0.

The meeting adjourned at 1:25 p.m.

Respectfully submitted,

Michael Gleason  
City Manager

(Recorded by Yolanda Paule)  
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