

MINUTES

Eugene City Council  
McNutt Room--City Hall

May 17, 1995  
11:30 a.m.

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

Mayor Bascom called the adjourned meeting of May 10, 1995 to order.

**I. APPROVAL OF THE ORDER OF THE AGENDA**

Mr. Torrey moved, seconded by Ms. Nathanson, to approve the order of the agenda. The motion carried unanimously, 8:0.

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

**A. Election Results**

Mr. Laue remarked that he was pleased with the outcome of the election, particularly the Willamette Street vote.

Mr. Torrey agreed with Mr. Laue, adding that he would like the council to send a letter to the County thanking them for their assistance and congratulating them on taking a leadership role in the election; Mayor Bascom agreed to send a letter.

**B. United Way Request**

Ms. Swanson Gribskov told the council about a request from United Way to waive fees for the use of Alton Baker Park for this year's campaign kick-off. Six council members agreed to give the go-ahead to United Way to apply for the waiver, with Mr. Hornbuckle and Mr. Laue dissenting.

**C. Metro Sports Commission**

Ms. Keller referred the council to a memo about the Metro Sports Commission. She said the SportsPlan would be final in June, and would need to come to the council for approval of contingency funds for implementation. She asked for a work session on this item in June. The council agreed to discuss the issue later in the meeting.

**D. Lane ESD**

Mr. Boles told the council that he had assisted with the Lane ESD portfolio project at the Lane County Fairgrounds and he encouraged councilors to attend the event which he called impressive. He also handed out copies of an article from Science about economic growth and the environment.

**E. Thank You**

Mr. Farr thanked Ms. Keller for her assistance in getting a light at Barger and Terry Streets, and he thanked Mr. Gleason for helping him get information.

**F. Ward 8 Activities**

Ms. Nathanson informed the council about two Ward 8 activities: 1) Amazon Creek enhancements which she said will address alternative transportation objectives, as well as water quality, wildlife habitat, and liveability issues; and 2) a Churchill neighborhood parks improvement project. Ms. Nathanson also said she was pleased with the election results, particularly that the council was able to put forth a reasonable proposal to the voters.

**G. Election Comments**

Mr. Hornbuckle pointed out that the election may result in future problems, including traffic and traffic safety issues, and increased housing costs.

**H. Banners**

Mr. Hornbuckle also expressed concern about a banner across 11th Avenue advertising the Harvest Crusade, a religious event, and he questioned the first amendment implications of hanging the banner on city property. Mr. Hornbuckle specifically asked for a legal opinion and information about the process for approval of banners and posters.

**I. Green Scene**

Mayor Bascom expressed appreciation to staff for the "Green Scene" report. However, she said the action summary did not adequately reflect the essence of council's action on yard debris.

**J. Miscellaneous**

Mayor Bascom informed the council that she had attended meetings in Portland about high speed rail. She also asked councilors to look for a memo from officers in their next packet regarding a process session.

**K. Electronic Network**

Mr. Gleason reported that he had recently attended a meeting involving representatives from the University of Oregon, Lane Community College, Linn-Benton Community College and the city managers of Corvallis, Albany, Eugene



and Springfield regarding linking electronic networks. He also said he is taking a class at the University about environmental economics.

Mayor Bascom then returned to the Sports Commission item.

Ms. Keller moved, seconded by Mr. Laue, to schedule a work session on the Sports Plan, preferably for the end of June. The motion passed 7:1, with Mr. Boles voting in opposition.

**III. ORDINANCE RELATED TO THE BETHEL-DANEBO REFINEMENT PLAN AMENDMENT (GRAVILLE PROPERTIES, RA 93-1)**

CB 4536--Amended--An ordinance amending the Bethel-Danebo Refinement Plan, and Repealing Ordinance Nos. 19952 and 19993--Second Reading

Mr. Laue removed himself from the table for this item. Mr. Gleason read the ordinance title.

Ms. Nathanson moved, seconded by Mr. Hornbuckle, to approve the ordinance as amended. The motion carried 4:3, with Mr. Boles, Mr. Hornbuckle and Ms. Keller voting in opposition.

**IV. ORDINANCE RELATED TO OZONE PROTECTION**

CB 4539--An ordinance concerning the sale and use within Eugene of certain products containing ozone-depleting chemicals; amending ordinance no. 19994 and sections 6.700, 6.705, 6.710, 6.715, 6.720, and 6.725 of the Eugene Code, 1971.

Mr. Torrey moved, seconded by Mr. Farr, to amend section 4, page 7 of the proposed revisions to the ordinance to add, "...annual funding shall not exceed \$25,000 per year, with an escalator equal to the CPI in Portland on an annual basis and allowing \$1,000 to implement the program administratively."

Mr. Farr expressed a desire to receive a report each year on costs associated with the contract.

Mr. Boles expressed concern about the possible consequence of exceeding the mandated amount. Mr. Gleason clarified that \$25,000 was the estimated cost of contracting with a nonprofit to implement portions of the ordinance plus administrative costs. He said if the council stipulated an upper limit, the city would not have the authority to go beyond that.

Ms. Swanson Gribskov argued that other vehicles exist for cost-containment, including the budget process, direction to staff and a six-month report to the council.

In response to a question by Mr. Torrey, Mr. Gleason said the council can direct staff to stay within a dollar limit by motion, by resolution, or by ordinance.

Mr. Hornbuckle said the way to make the ordinance cost-effective is by mandating fines, and that agencies will police themselves if there is a cost.

The motion failed 6:2, with Mr. Farr and Mr. Torrey voting in favor.

Ms. Keller moved, seconded by Mr. Boles, to delete the last two sentences from the top of page five of the clean copy, thereby eliminating the sunset date for the advisory committee.

The motion failed 5:3, with Ms. Keller, Mr. Hornbuckle, and Mr. Boles voting in favor.

Mr. Hornbuckle moved, seconded by Ms. Keller, to add mandatory fines for repeated violations.

The motion failed 5:3, with Mr. Hornbuckle, Ms. Keller and Mr. Boles voting in favor.

Mr. Farr moved, seconded by Mr. Torrey, to amend section four to add that the council receive a report after six months and after one year.

Mr. Boles said this request could be a direction to staff and did not need to be an amendment to the ordinance.

Mr. Farr withdrew the motion with the agreement of the second.

Ms. Nathanson moved, seconded by Mr. Laue, that the bill, with unanimous consent of the council, be read the second time by number only, and that enactment be considered at this time.

The motion carried unanimously, 8:0.

Mr. Gleason read CB 4539 by number only.

Ms. Nathanson moved, seconded by Mr. Laue, that the bill be approved and given final passage.

Ms. Keller said she could not support the bill without adequate citizen review and input.

Mr. Farr said he would support the bill because of the need to protect the ozone, although he expressed confusion about why the council was considering the bill after it was rejected by the voters.

Mr. Hornbuckle said he would not support the bill because it does not contain substantive enforcement.

Mr. Torrey expressed support, adding that he intended to bring up the capping issue again at a future date.

Mr. Boles called the ordinance a compromise and said he could not support it.

The vote was 4:4 with Mr. Boles, Mr. Laue, Ms. Keller, and Mr. Hornbuckle voting in opposition. Mayor Bascom voted to affirm the bill, thus passing it 5:4. The bill became Ordinance 20013.

Mayor Bascom expressed thanks for the hard work on this bill. Ms. Nathanson said she would work with Mr. Farr to frame a resolution to provide for reporting requirements.

Mayor Bascom adjourned the meeting of the City council, and convened a meeting of the Urban Renewal Agency.

#### V. BROADWAY-CHARNELTON SITE PLAN

Lew Bowers, Planning and Development, introduced Scott Luell, who presented information about the parking structure issue, specifically the Broadway/Charnelton site. He noted that strategies for alternative modes, parking structures, and parking land management are embodied in various plans.

Mr. Luell told the council that a parking model which was run to project future parking needs suggests a 100-200 space surplus. However, when the model is adjusted to include construction, it indicates a 200-300 space deficit. If it is adjusted to look out one-three years, including LTD, infilling of vacancies, and use of the Sears building, the estimated deficit is 800-1,000 spaces. Mr. Luell said staff recommends looking at the feasibility of placing a parking structure in this area with 600-750 spaces.

Bob Hibschan referred the council to the Broadway-Charnelton options chart, which included options, process, and timing.

In response to a question by Mr. Boles, Mr. Luell confirmed that the model considered alternate transportation modes such as walking, bicycling, working at home, carpool, and the bus. He also clarified that the model deals with peak parking demand only, not 24-hour.

In response to a question by Mr. Torrey, Mr. Luell said that both LUBA and CATS plans call out the ORS-mandated reduction in parking spaces. City Attorney Glenn Klein told the council that, as the Urban Renewal Agency, the council is not making land use decisions, and therefore, is not open to potential challenges by LUBA.

Ms. Nathanson referred the council to an option she developed to address council's issues about a parking structure. She noted that the option, which she distributed to councilors addresses issues such as: 1) comprehensive planning, 2) a quick time line, 3) keeping options open for a downtown library site, 4) downtown housing, and 5) including open spaces.



Ms. Keller said that although she had not had a chance to review the proposal, it sounded like it would address her concerns about overall planning. She added that, given the CATS study, she was comfortable committing to providing a parking structure on the west side, but was not ready to commit to this particular block.

Ms. Swanson Gribkov mentioned a letter from Symantec and a meeting she had with Symantec representatives regarding their efforts toward alternate transportation modes for employees, their need for parking, and their desire to stay downtown. Ms. Swanson Gribkov said she saw many items in Ms. Nathanson's proposal that she agreed with, and listed some of the issues for the council to consider such as: 1) how broad an area to look at for siting the structure, 2) the possibility of a special interest committee as part of the process, 3) timing in connection with TransPlan and the Ferry Street corridor planning, and 4) cost. However, Ms. Swanson Gribkov stressed that she did not want the process to take two years.

Mr. Boles expressed general support for Ms. Nathanson's approach. He said his concerns about the "ad hoc" nature of these requests were addressed to some degree by Ms. Nathanson's proposal. However, Mr. Boles reminded the council that he and Mr. Torrey had been appointed to look at this site. The committee had stopped meeting because of the library vote, but had not been disbanded. He suggested broadening the base of this committee to include stakeholders. Mr. Boles congratulated councilors for not being "panicked" into making a quick decision. He cited the minutes from the council meeting of March 10, 1993 in which the council made a commitment to a parking structure, very clearly calling out the conditions under which the council was willing to consider a parking structure, including: 1) an appropriate design review process, and 2) approved adopted policies around urban density issues. He added that discussions about the Pearl Street garage could be reviewed, particularly in light of expressed interest by developers in the Charnelton site.

Mr. Torrey expressed concern about defining this project as the "Symantec parking garage," but instead, as the west Broadway parking facility. He agreed that interested parties need to be involved in the process, and that this should be done quickly, but thoroughly. Mr. Torrey also expressed general support for Ms. Nathanson's proposal.

Mr. Farr agreed with the need for comprehensive planning in conjunction with siting the parking structure. He added that lots of businesses located in the area are growing, as well as empty storefronts on Willamette which could change and add to the parking needs.

Mr. Hornbuckle said the most important components in the parking structure issue are design and land use. He said the interface with the west side neighborhood is important; currently the neighborhood west of Lincoln is experiencing land use discrepancies which Mr. Hornbuckle said are not being enforced by the City. He listed other issues to be considered, such as: 1) ingress and egress issues between Lincoln and Lawrence Streets, and 2) a housing interface on the west side of the parking structure that would be south of the Broadway lot, saving the north side of that lot for the Eugene

Celebration and possibly a library later on. He suggested that the council could be the developers and put out an RFP for a parking garage and housing design and, if need be, the City could own the housing to control for proper use of the area.

Mr. Laue noted that there appeared to be a lot of support for Ms. Nathanson's proposal around the table. He confirmed the need for parking on the west end and said his concerns were similar to those already expressed; specifically, 1) how the structure fits in to other potential uses, 2) how the structure will impact the kind of compact growth the council hopes for in downtown, and 3) how housing could be brought into downtown. Mr. Laue agreed that the 90-120-day process in Ms. Nathanson's proposal was a good time line, and he agreed with Mr. Boles on the idea of reconstituting the committee to look at the site, as long as the process could move quickly.

Mayor Bascom expressed support for Ms. Nathanson's proposal in the context of comprehensive planning, but moving forward with the commitment to the parking structure.

Ms. Swanson Gribkov suggested the council direct staff to "flesh out" the proposal and bring it back as soon as possible. She also asked for information about how a parking structure is funded. Mayor Bascom asked staff to answer the question. Mr. Bowers responded that there are various mechanisms to pay for a parking structure, including: 1) existing reserves in the parking fund, which is enterprise fund, 2) existing reserves in the Urban Renewal Fund, or 3) the possibility of bonding the parking revenue itself, not general obligation, but a special revenue bond. Mr. Bowers said preliminary numbers indicate those options would put funding in the ballpark.

Mr. Boles objected that the answer was incomplete. He referred to alternative funding mechanisms called out in the retail task force that have to do with differential projects on parking outside the periphery to equalize the playing field downtown, essentially using the expansion at the edge to subsidize parking downtown.

Ms. Nathanson suggested refining the proposal, calling it Option D, and bringing it back as soon as possible.

Mr. Hornbuckle said that a full discussion of funding mechanisms would need to occur at some point. Mr. Hornbuckle expressed reservations about the process noted in Option D, and disagreed with the idea of asking staff to refine the proposal. He said the council should decide what drives the design process, including siting and housing interface with west Lincoln area.

Mr. Boles supported Ms. Nathanson's suggestion to refine the proposal, and asked that refinements include: 1) background on funding options, 2) testing the committee scope against the elements in the already adopted option 3 from the March 10, 1993 council meeting, and 3) taking the committee constitution back to council-adopted standards for ad hoc advisory committees.

Ms. Keller opposed the idea of a straw vote and expressed the following concerns about the issue: 1) a broad look, not limited to a small area, 2) an

inclusive process, 3) maintaining the criteria attached to the decision made in 1993, and 4) looking at ways to reduce parking on the periphery.

Mr. Farr requested copies of materials from the March 10, 1993, meeting. Mayor Bascom agreed to get the information.

Ms. Nathanson asked for council support to refine option D, which includes committing to a parking structure of 600-750 spaces in the Broadway-Charnelton area; simultaneously and prior to approving a financial plan, asking staff to start work on financial feasibility of a parking structure; simultaneously, complete a planning process prior to reaching closure on a parking structure; and setting a date of September 1 for the preliminary schematic plan. Ms. Nathanson pointed out that comprehensive land use and schematic planning is different from design review, and commented that both are important for this issue.

Ms. Nathanson moved, seconded by Mr. Laue, to authorize Ms. Nathanson to work with staff on refinements to Option D and bring it back to the full council at the next feasible meeting. The motion carried unanimously, 8:0.

Mr. Gleason asked the council for an expected time line; Ms. Nathanson responded that she was prepared to act very quickly. Mr. Boles objected to being asked to nail down a time, and said the question will be answered within 120 days. Mayor Bascom said the item would be scheduled for action with the next month.

Mayor Bascom closed the meeting of the Urban Renewal Agency and reopened the meeting of the City council.

#### VI. CONTINGENCY FUND REQUEST AMATEUR SOFTBALL ASSOCIATION GIRL'S FAST PITCH TOURNAMENTS

Ms. Nathanson moved, seconded by Mr. Laue, to direct the City Manager to enter into a contract for services needed to facilitate the provisions of three youth fast pitch softball tournaments, May 20-21, June 10-11 and June 15-16, 1995, and authorizing the expenditure of \$870 from the Contingency Fund to cover the cost of the contract.

In response to a question by Ms. Swanson Gribkov, Jim Johnson, Library, Recreation, and Cultural Services, told the council that this request, if approved, would open the door to many other similarly situated groups who now pay fees to use City facilities.

Mr. Torrey said he intended to support the request, knowing how hard it is for groups like this to raise money, but he said he understood the reluctance of the council to set a precedent.

The motion failed, 7:1, with Mr. Torrey voting yes.



**VII. RATIFICATION OF COUNCIL OFFICERS' RECOMMENDATIONS**

Ms. Nathanson moved, seconded by Mr. Laue, to ratify the council Officers' recommendations of May 3, 1995.

Ms. Keller expressed agreement with everything in the officers' recommendations, but disagreed with the pulling of the masonic cemetery discussion.

Ms. Nathanson explained that the item had been pulled because of changes and that the intent of officers was to bring the item back when the facts were clear.

Ms. Boles suggested that the officers reach an agreement with Ms. Keller on this issue.

The motion carried 7:1, with Ms. Keller dissenting.

This meeting was adjourned at 1:25 p.m.

Respectfully submitted,



Michael Gleason  
City Manager

(Recorded by Hannah Bradford)  
cc17.055