

MINUTES

Eugene City Council
McNutt Room—City Hall

February 21, 1996
5:30 p.m.

COUNCILORS PRESENT: Tim Laue, Laurie Swanson Gribskov, Pat Farr, Kevin Hornbuckle, Barbara Keller, Nancy Nathanson, Jim Torrey

COUNCILORS ABSENT: Shawn Boles

Her Honor Mayor Ruth Bascom called the adjourned meeting of February 14, 1996, to order.

I. TRIMESTER WORK PLANNING SESSION

Mayor Bascom reviewed the agenda and meeting process, asking for any revisions. Ms. Keller requested that all staff recommendations under consideration (not pulled for individual discussion) be displayed on the screen.

Mr. Torrey moved, seconded by Mr. Hornbuckle, to reconsider council action on the issue of preference voting.

Mr. Torrey spoke to his motion, stating that there had been a lot of concern and contention in connection with this issue. He said he would move to table the motion until time allowed a full discussion.

Mr. Hornbuckle asserted that the majority of the council was not interested in democratic reforms.

In response to a question from Ms. Swanson Gribskov, City Attorney Glenn Klein said that this motion, if passed, would put the original motion back on the floor.

Mr. Laue spoke against the motion, stating that his intention had been to bring three issues to the table: 1) fluoridation of City water, 2) pay for City Councilors, and 3) review of how councilors are elected.

The motion carried 6:1, with Mr. Laue voting in opposition.

Mr. Torrey moved, seconded by Ms. Keller, to table the issue of preference voting. The motion carried 5:2, with Mr. Hornbuckle and Mr. Laue voting in opposition.

Mayor Bascom returned to the trimester work planning session agenda, reviewing items by goal.

PUBLIC SAFETY GOAL

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to accept staff recommendations for the Public Safety Goal.

Ms. Keller asked how the work of the Council Committee on Public Safety (CCPS) related to the interjurisdictional criminal justice system coordination initiative, cautioning the group to look at possible overlaps. Ms. Keller also asked when the Interagency Youth Strategy would come back to the council. Jim Johnson, Library, Recreation, and Cultural Services, responded that the time line for this effort would be included in the work program scheduled to come to council in May.

The motion carried unanimously, 7:0.

GOVERNMENTAL GOAL

Mr. Laue pulled item 2b, *public participation in City Council decision-making*, for separate consideration. Ms. Keller asked for information from other jurisdictions about public participation, including 1) whether their process works, and 2) a gauge of how much the public feels heard, if this information is available.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to accept staff recommendations, except for item 2b, for the Government Goal. The motion carried 6:1, with Ms. Keller voting in opposition.

Trimester Discussion Items

1) Public Participation in City Council Decision-making

Mr. Torrey suggested the charge of the Citizen Involvement Committee (CIC) be considered, along with a specific staff recommendation, in conjunction with this topic. Mr. Laue agreed, adding that specific types of public involvement in land use issues should be called out separately. Ms. Nathanson said she had forwarded several questions to staff about public participation, stating that this data would be useful when discussing the issue. Ms. Keller urged staff to include data on how often staff is involved in public meetings in the community.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt item 2.b., *public participation in City Council decision-making*, as an "add" to the work plan.

Ms. Keller expressed concern about deferring the automation component of the new library, noting that she had received calls from citizens who were concerned the library had been forgotten. Mr. Johnson responded that the council would receive an update on this issue March 6.

The motion passed 6:1, with Ms. Keller voting in opposition.

2) Council Committee on Automation

Randy Kolb, Information Services Division Director, gave a brief report on the committee and explained the recommendations. Ms. Keller asked why electronic distribution of agendas was so expensive. Mr. Kolb responded that the estimate was based on distribution of the whole agenda packet. Ms. Keller said she would appreciate the option of receiving just the agenda electronically. Ms. Swanson Gribskov expressed appreciation for the committee's work and supported the recommendations.

Mr. Torrey said one automation need was a system that would allow councilors to punch in and sequence the order of the queue at council meetings. Ms. Norris confirmed that this item was being researched.

Ms. Swanson Gribskov moved, seconded by Mr. Laue, to approve the recommendations of the Council Committee on Automation, and encourage staff to explore other voting mechanisms. The motion carried 6:1, with Ms. Keller voting in opposition.

HOUSING GOAL

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to adopt staff recommendations under the Housing Goal.

Ms. Keller asked about the Zoning Code Review. Jan Childs, Planning Division, responded that staff was recommending the advisory committee put together its recommendations this year, with Planning Commission hearings and deliberations to begin in early 1997. She noted that this item was listed as a work plan adjustment and would be discussed under the Land Use Goal.

Mr. Laue and Ms. Swanson Gribskov amended the motion to adopt all recommendations except for deferral of the Zoning Code Review.

Mr. Hornbuckle reported that the Human Rights Commission had expressed disappointment that the council had not responded to its questions about the camping ban.

Mr. Hornbuckle moved, seconded by Ms. Keller, to amend the motion to add a review of the camping ban to the Housing Goal.

Ms. Keller said there were many questions to be discussed in connection with this issue. She added that since this item was an addition to the council work plan, not the staff work plan, it did not necessitate any deletions. Mr. Farr asked about impacts on staff workload of rescinding the ban. Dave Whitlow, Department of Public Safety, responded that the impact of the State law had been minimal. He said most responses to complaints under the camping ban were in streets and parks. However, Ms. Norris confirmed that several workload issues existed for Public Works Maintenance in connection with camping.

Ms. Nathanson suggested the council discuss a range of issues around homelessness, including the legal issues, a car camp, and enforcement.

Ms. Swanson Gribskov moved to table the issue until a written update was developed. The motion died for lack of a second.

Ms. Norris noted that a written summary could be provided following testimony on March 4. Mr. Torrey said he would prefer not to rehash old issues, but supported Ms. Nathanson's suggestion. Mr. Laue supported reviewing the issue of camping on public versus private property and a discussion of the Zoning Code Review at the same time. However, he said any discussion this year should occur prior to the fall.

Mr. Hornbuckle accepted a friendly amendment, agreed to by Ms. Keller, to add a scheduled work session following council break.

The motion carried unanimously, 7:0.

Ms. Nathanson and Mr. Hornbuckle left the meeting at 6:45 p.m.

Trimester Discussion Items

1) Housing Code Development

Ms. Norris told the council that a large workload issue existed in the permit center, due to activity volume and new regulations. Staff was recommending deferring further work on the housing code, and would bring a report to the council soon demonstrating the workload issues.

Mr. Keller opposed extending the time, stating that the council had added staff, funding, and additional money from Hyundai to support increased construction permit activity. Ms. Keller said that the code review had already been stretched out two years, and that it needed to be a priority.

Ms. Swanson Gribskov and Mr. Farr disagreed, stating that the department was overwhelmed, and deferral was necessary, as long as the item stayed on the calendar. Mr. Torrey asked whether Hyundai's applications had impacted the workload. Abe Farkas, Planning and Development, responded that very little of the activity last year was related to Hyundai. Mr. Torrey said he would be interested in seeing a breakdown of permit activity by commercial, residential, and remodel, but he would not want to slow the process further. Mr. Laue asked about contracting for services, stating that he was reluctant to defer this item. Mr. Farkas said that option could be explored, although current staff were currently too busy to administer the contract.

Ms. Swanson Gribskov moved, seconded by Mr. Farr, to bring this item back at the next trimester session, along with information about additional workload as requested.

Ms. Keller added a friendly amendment, accepted by the maker and second of the motion, to bring the item back prior to the next trimester session. The motion carried unanimously, 5:0.

TRANSPORTATION GOAL

Mr. Laue pulled item A2, *Willow Creek Transit Oriented District*, for separate consideration.

Willow Creek Transit Oriented District

Mayor Bascom expressed disappointment at the deferral of this item. Ms. Childs responded that the reasons for deferring were as follows: 1) the issue of staff resources, to which she noted that the TransPlan staff had been reduced to one because of the Growth Management Study, and 2) there may be recommendations to adjust the development nodes in the Willow Creek area, which could mean redoing work if it were done now. Ms. Childs confirmed that some safeguards were in place for individual developments.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to approve staff recommendations on the Willow Creek Transit Oriented District. The motion carried unanimously, 5:0.

Trimester Discussion Items

1) Lane County Road Fund Allocation to Cities

Chris Andersen, Director of Public Works, reviewed the memorandum on this issue. Ms. Keller suggested that the IGR committee put this item on its agenda. In response to questions from Ms. Swanson Gribkov, Ms. Andersen reported that revenue from the State gas tax was based on population, and averages roughly \$5.5 million. The County Road Fund revenue has been about \$2.7 million annually, which is dedicated for use within road rights-of-way. Ms. Andersen said a request from all the cities had been sent to Lane County, asking that the County reconsider its decision to terminate the agreement until next July, to allow time for renegotiation.

The council then discussed potential approaches for working with the County. Mr. Farr said that he and Mr. Torrey had met with Commissioner Bobby Green and stressed the need for more dialogue. Mr. Torrey expressed concern that there had been no response to the letter, adding that the council needed to work with ODOT and the other cities pro-actively for legislation. Mr. Torrey also commented that the City roads are part of the County road system. Terry Smith, Public Works, responded, noting that the Governor had made this a high priority because of the number of cities impacted. Mr. Smith said there was a plan to develop a proposal for the legislature by June.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to direct staff to explore with urgency immediate negotiations for continued maintenance funds for municipal streets and roads from the County Road fund, to refer this issue to the IGR Committee, and

to report back to the City Council on the status by April 15. The motion carried unanimously, 5:0.

The council then recessed for a break from 7:40 to 7:55 p.m.

LAND USE GOAL

Ms. Keller pulled item A4c, *Zoning Code Review Project*.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to approve staff recommendations for the land use goal, except for item A4c. The motion carried unanimously, 5:0.

Zoning Code Review (ZCR) Project

Ms. Keller expressed concern about deferring this project, stating that "zoning affects the texture of the community." Ms. Keller said some homelessness issues had been folded into the ZCR project, with the expectation that it would happen sooner. She added that she would prefer to limit the GMS than to defer the ZCR.

In response to questions, Ms. Childs said the primary reasons for the deferral were competition for Planning Commission time, and the time the advisory committee needed to prepare recommendations. Mr. Laue said in light of this information, there could be a need to revisit the Planning Commission work plan.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to extend the time line for the Zoning Code Review Project, with a progress report before the summer break. The motion carried 4:1, with Ms. Keller voting in opposition.

Trimester Discussion Items

1) Glenwood Transfer of Jurisdiction

Mr. Torrey said he would support the transfer as long as it met the following conditions: 1) adherence to the Glenwood Refinement Plan, 2) areas within the City of Eugene limits remain in City of Eugene jurisdiction, 3) the MWMC audit would be expedited, 4) City of Eugene expenditures would be returned to the City over a period of time, 5) the agreement would result from responsible interplay between the two cities, and 6) an agreement was reached between Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB). Ms. Keller said staff work should be limited to the 30 hours authorized. She also requested full review of the issue before voting.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to direct staff to enter into discussions for up to 30 hours and bring this issue back to the council. The motion carried unanimously, 5:0.

2) Scoping of Council Committee on Environment and Economics (CCEE) Recommendations

Ms. Swanson Gribskov expressed appreciation for the progress being made by the committee. Ms. Keller expressed concern about what was not being done in this arena. She said scoping was inadequate, and supported moving forward to bring this back to the council before the next trimester session. Mr. Laue asked about options to work with other jurisdictions, and noted that there were items not listed which should not fall off the agenda. Mr. Torrey suggested asking the CCEE to meet again to expedite these items and recommend priorities.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to direct staff to scope items 1-4 as listed, and to refer other items to the CCEE. The motion carried unanimously, 5:0.

3) Park and Open Space Land Acquisition

Ms. Andersen distributed a map which she said was similar to the type of map staff expected to produce. She said this first step would help to create a foundation to work with a public group toward a ballot measure.

Ms. Andersen then answered questions from the council, noting that changes or shifts in the citizen review phase could affect the time line. Mayor Bascom noted that it was important to involve interjurisdictional partners early in the process. Mr. Farr agreed, adding his support for the straightforward approach to this project. Ms. Keller also urged staff to work with a group called FRESH (Friends of Eugene and Springfield Habitats).

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to approve staff recommendations on this issue. The motion carried unanimously, 5:0.

4) Natural Resource Special Study for Eugene

Ms. Childs noted that new information had been received in regard to the study, included in a memorandum to council. Ms. Childs reviewed the information, noting that the Department of Land Conservation and Development (DLCD) had agreed to fund only the Metro Residential Lands Study at this time. Ms. Childs told the council it might want to review alternatives listed on page 96 of the trimester packet.

Ms. Keller argued that it was time for the City of Eugene to take action on this study. She said the study could be done by the City exclusively as a local refinement plan. Ms. Norris responded that the study raised issues in regard to money and workload. Neil Björklund, Planning and Development, informed the council about options for updating the 1992 study.

Mr. Laue moved, seconded by Ms. Swanson Gribskov, to direct staff to bring back at or before the next trimester session, a scoping report for a Natural Resources Plan and implementing ordinances

In response to questions from Mr. Farr, Mr. Björkland said an overlay to protect riparian areas would add only a checkmark to the permit process, confirming that developments were outside the riparian area. Mayor Bascom asked that background include information about 1) the Willamette River, 2) the concept of an urban river, and 3) contiguous natural areas within cities.

The motion carried unanimously, 5:0.

OTHER ISSUES

1) Little Davis-Bacon Act

Ms. Keller said she had introduced this issue because of information she received alleging that the City had acquired the Atrium building after the remodeling work was completed in order to avoid compliance with the Little Davis-Bacon Act, which requires paying union wages. Ms. Keller said this policy was against her beliefs and she wanted to direct staff to follow the council's intentions in this regard. Mr. Laue agreed, stating that there were trade groups upset because of this. He added that "the best investment we can make in this community is wages."

Mr. Farkas told the council that the main issue with the Atrium was not the Davis-Bacon Act, but the need for an evaluation of the potential usefulness of the building for the City. He confirmed that it was the City's policy to comply with the Davis-Bacon Act.

Mr. Laue moved, seconded by Ms. Swanson Gribkov, to drop this work activity from further consideration. The motion carried 3:2, with Ms. Keller and Mr. Laue voting in opposition.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Linda H. Norris

Linda H. Norris
City Manager pro tem

(Recorded by Hannah Bradford)
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