

MINUTES

Eugene City Council
Council Chamber--City Hall

September 30, 1996
8:25 p.m.

COUNCILORS PRESENT: Tim Laue, Laurie Swanson Gribakov, Shawn Boles, Pat Farr,
Barbara Keller, Nancy Nathanson, Jim Torrey

COUNCILORS ABSENT: Kevin Hornbuckle, Mayor Ruth Bascom

In the absence of the Mayor, Council President Tim Laue, called the Regular City Council meeting of September 30, 1996, to order.

I. APPROVAL OF THE AGENDA AND TIME ESTIMATES

Mr. Laue stated that two councilors wanted to add the following items to the agenda: 1) Department of Corrections' consideration of Eugene as a new site for an adult correctional facility; and 2) the American Legions' motion, before Judge Hogan, to be allowed to intervene and appeal the 9th District Court of Appeals' decision on the Skinner Butte Cross to the Supreme Court.

Ms. Norris stated that the Mayor had received a letter from Governor Kitzhaber the previous Thursday that announced that Eugene was being considered as a site for a new adult correctional facility. She said that the Governor had mentioned that there would be seven to eight sites selected around the state. She said that the area being considered was in North Eugene on Highway 99 and it was not clear whether the area was within the Eugene City limits or the urban growth boundary (UGB).

Ms. Norris stated that City staff would be meeting with members of the site development committee on Wednesday, October 2, at 4:30 p.m. She said that staff would disseminate any new information after that meeting.

Mr. Torrey stated that he was satisfied that the council had enough on the table that he could forego discussion of the possible correctional facility until a later time.

Mr. Boles said that the state would be better served to first investigate communities that would be interested in such a facility. He said that he was not interested in having such a facility in Eugene.

Mr. Laue stated that a couple of councilors believed that the council's motion not to appeal the 9th District Court's ruling was not sufficient for the council to be intervening in opposition to another appeal. He said that if the issue was not discussed that evening then the council would move forward with the City Manager's direction to intervene in opposition to the appeal.

Mr. Torrey reiterated that by not acting on this issue the council would preclude itself from taking legal counsel out of the question. He said that the council should not intervene in opposition to the American Legion.

Mr. Torrey moved, seconded by Mr. Farr, that the item be added to the agenda and take 10 minutes time from the item regarding the Council Committee on Environment and Economics.

Mr. Boles said that the council had dealt with the question and he did not intend to support the motion.

Mr. Torrey said this was a new motion and the council had never formally decided to intervene in opposition to the American Legion.

Ms. Nathanson said that it had been a long day for the councilors and it concerned her to add something new to the agenda that had not been given thorough thought. She asked if it was true that the council had to discuss the topic that evening in order to alter the City Manager's direction.

City Attorney Glenn Klein stated that there was a hearing scheduled on October 8 on the motion to intervene and any opposition that the City might file needed to be filed before October 8. He said that the intent of City staff was to file the motion by Friday, October 4 so that the Court would have an opportunity to consider it prior to oral arguments. He added that if intervention was granted, the City would be filing opposition to the petition for U.S. Supreme Court review of the 9th Circuit Court's decision. He said that event would happen much further down the road and the council would have other opportunities to consider that issue.

Ms. Swanson Gribkov voiced her agreement with Ms. Nathanson and said that it would not be wise to place this item on an already full and lengthy agenda.

Mr. Klein stated that the American Legion had filed a request to become a party in the action and if the Court granted the American Legion's request then it would have the right to ask the Supreme Court to hear this case. He said if the American Legion was not successful in intervening, then there would not be an appeal and the City would begin the process of planning the moving of the cross. He said the immediate decision to make was whether or not the City opposed the American Legion's motion to intervene and the City Manager, based on earlier council action and discussion, directed that the City file in opposition to the motion to intervene.

Mr. Farr stated that if the council voted this motion down then it was opposing the American Legion.

Ms. Keller said she was very comfortable with the City Manager's actions with regard to this issue. She said that the City Manager was following through with previous council action and discussion. She said she was not supportive of spending additional time on the issue.

Mr. Farr moved, seconded by Mr. Boles, the previous question. Roll call vote; the motion, requiring 2/3 majority to pass, failed 4:3, with Ms. Nathanson, Mr. Laue, and Mr. Torrey voting in opposition.

Ms. Nathanson said that the council was far enough into the discussion that she wanted to complete it rather than repeating it at the end of the agenda.

Mr. Torrey stated that if the council voted against adding the item to the agenda then it was effectively opposing the American Legion.

Roll call vote; the motion failed 5:2, with Mr. Farr and Mr. Torrey voting in favor.

Ms. Swanson Gribskov moved, seconded by Ms. Keller, approval of the agenda and the time estimates. Roll call vote; the motion passed 5:2, with Mr. Farr and Mr. Torrey voting in opposition.

II. CONSENT CALENDAR

A. Approval of City Council Minutes of August 5, 1996, Meeting; August 7, 1996, Lunch Work Session; and August 12, 1996, Special Meeting

B. Resolution Authorizing Transfer of Funds from Reserve for Encumbrances

Res. No. 4503—A resolution authorizing the transfer of funds from the Reserve for Encumbrances to departments and to Non-Departmental Contingency, Reserve, And Balance Available.

C. Resolution Authorizing Transfer of Funds from Reserve for Capital Projects

Res. No. 4504—A resolution authorizing the transfer of funds from the Reserve for Capital Projects.

D. Funding Approval: Mayoral Sister City Trip to Chinju, Korea

Ms. Swanson Gribskov moved, seconded by Mr. Boles, to approve the items on the City Council Consent Calendar. Roll call vote; the motion passed unanimously, 7:0.

Mr. Laue adjourned the meeting of the Eugene City Council.

Mr. Laue called the meeting of the Urban Renewal Agency, to order.

III. RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM RESERVE FOR CAPITAL PROJECTS FOR THE URBAN RENEWAL AGENCY

Res. No. 986--A resolution of the Urban Renewal Agency of the City of Eugene authorizing the transfer of funds from the Reserve for Capital Projects.

Ms. Norris stated that Hillary Kittleson, Administrative Services Division (ASD), was available to answer questions.

Ms. Swanson Gribskov moved, seconded by Mr. Boles, to adopt the resolution. Roll call vote; the motion passed unanimously, 7:0.

Mr. Laue adjourned the meeting of the Urban Renewal Agency.

Mr. Laue reconvened the meeting of the Eugene City Council.

IV. WORK SESSION: SHORT MOUNTAIN LANDFILL; REVIEW OF INTERGOVERNMENTAL AGREEMENT

Cathy Czerniak, Planning and Development, presented the staff report. She noted that the council had before it an unsigned, draft version of the intergovernmental agreement and not an ordinance to approve or deny the Metro Plan amendment. She said that the council could provide direction regarding language for the intergovernmental agreement that staff would forward to Lane County and Springfield. She said that if there was agreement on the language between the three jurisdictions, then a signed version of that agreement would come back to the council for approval. If there was not agreement, then the issue could go to the Metropolitan Policy Committee (MPC) for resolution before the council voted on the Metro Plan amendment.

Ms. Czerniak reported that, based on previous council direction, staff had continued its negotiations with Lane County staff and provided versions of the draft to Springfield staff. She noted that the issues that the councilors had identified as those they wished to see addressed in the intergovernmental agreement were summarized in the council briefing statement. She added that agreement with Lane County staff had been reached on all but four issues. She said that in each of those cases, the council packet included Option A and Option B, Option A reflecting the language recommended by City staff and Option B reflecting the language preferred by Lane County staff. She said staff was requesting that the council give direction on each of the four undecided issues.

Ms. Czerniak stated that there continued to be lack of clarity as to whether the County Commissioners were committed to the pipeline as an option. She said that the commissioners most recently reconfirmed their commitment to the pipeline. She explained that staff would not bring this item back to the City Council for action until the intergovernmental agreement was signed and the commissioners committed to the pipeline option.

Ms. Swanson Gribskov suggested that the council entertain general comments about any items outside of the four contested issues first. The councilors agreed to follow that process.

Ms. Keller stated that exhibit A was purely in verbal form and that was not helpful to her in understanding the alignment. She said that she hoped the council would not be adopting the contract because the alignment did not exist in graphic form.

Mr. Boles noted that he had requested that staff provide to the council a summary of the leachate management alternatives and costs on a per user basis. He said that it was his hope to convince the council to look at the very small difference in cost per can per month for alternatives that did not include ongoing City monitoring of the County's performance or an exception to goal 11.

Ms. Nathanson called attention to an option that continued to appear as the least costly, a force main to the city of Creswell. She asked if staff had explored the possibility of expediting the Federal approval process so that Creswell could be an option. Peter Ruffier, Wastewater Management Division, stated that nothing new had been accomplished since the original Leachate Management Plan Analysis one year ago. He added that the projection, at that time, was that it would take five years before the Federal process would be complete and the necessary infrastructure would be available.

Ms. Nathanson expressed her disappointment and said that perhaps a partnership would have helped expedite the Federal approval process. She said she regretted that more energy had not been expended in exploring the Creswell option.

Ms. Swanson Gribskov reported that County Commissioner Cindy Wealdreyer had seemingly indicated that the pipeline option was still open for discussion. She said that there was some confusion as to the County's stance on the issue. Ms. Norris stated that she had spoken with County Commissioner Bobby Green and County Administrator Bill VanVactor and they indicated that the commissioners wanted the Eugene City Council to consider the intergovernmental agreement issue for the pipeline. She noted that there may be a time in the future when they would want to consider a pilot project for on-site treatment, but at this point, the commissioners believed that the pipeline was the preferred option.

Mr. Torrey asked for an indication of the daily flow for the leachate line and how a Systems Development Charge (SDC) would be applied in this case. Mr. Ruffier stated that the projected daily flow average in the summer was approximately 24,000 gallons and in the winter was approximately 85,000 gallons per day. Ms. Norris stated that whatever SDC methodology was in place at the time of development would be applied to the project. Mr. Ruffier said that the existing methodology still used Plumbing Fixture Units (PFU) as part of its calculation base and the land fill operation would not have plumbing fixtures so it would require that an alternative approach be used. Ms. Norris said that staff was continuing to research how an SDC would be applied to the project.

Ms. Keller called attention to Ms. Nathanson's comments about Creswell and stated her hope that Lane County would explore that option. She noted that it was not the City's responsibility to explore that option and that one of her concerns was that this project was becoming framed as Eugene's problem. She expressed concern that if the City accepted the discharge line then it would become Eugene's problem. She said that it was not appropriate to separate this agreement from the Metro Plan Amendment and she hoped that at least the council would include in the agreement a statement that said that the agreement would not go into effect until the Metro Plan Amendment was in place. She pointed out that if the council moved ahead with the agreement and in the future the County turned to an on-site treatment process, Eugene would be left with a four inch line without a purpose.

Responding to Mr. Farr's question regarding the Creswell option, Mr. Ruffier stated that the County did investigate the option and due to Creswell's lengthy time line, the County had discarded it as an option.

Ms. Norris stated that if the County were to do a pilot on-site treatment project, it would most likely be years before that was a viable option for treating all of the leachate.

Mr. Boles remarked that despite the delay in the Creswell site coming on line, a mix and match process could be utilized by trucking for five years and then moving to the Creswell option. He said that that option would be less costly than the pipeline option.

Mr. Laue stated that he would lead the council through each item in the agreement, with the exception of the four items in dispute, ask for comments, and then return to the four items of dispute after the entire agreement had been discussed.

Item One

No Comment.

Item Two

Ms. Keller said that the council had spent a considerable amount of time discussing the difference between a two-inch line and a three-inch line, and yet the agreement stated, "no larger than four inches." She said a four-inch line was entirely inappropriate.

Ms. Norris stated that her recollection was that the council had discussed the possibility of a four-inch line.

Ms. Keller moved, seconded by Mr. Boles, to amend the second item to read, "with an inside diameter of no larger than two inches."

Ms. Keller stated that two inches was adequate for the needs and would not provide the additional capacity that a four-inch line would leave.

Ms. Swanson Gribkov stated her recollection that the conversation concerned the difference between three- and four-inch lines. She asked for clarification about what a two-inch line would mean in terms of capacity and functionality. Kenneth Kohl, Lane County Public Works Waste Management Division, stated that the differences between two-, three-, and four-inch lines would be reflected in the number of pump stations that would be required for each size and the pumping costs associated with the stations. He said that it was cheaper to put in four-inch lines because it would require fewer pump stations.

Roll call vote; the motion failed 5:2, with Mr. Boles and Ms. Keller voting in favor.

Item Three

Mr. Boles referred councilors to the second sentence and asked what applicable Metro Plan policies existed that would govern this item. Mr. Klein stated that paragraph three dealt with the portion of the pipeline that would be within the UGB.

Item Five

Ms. Keller moved, seconded by Mr. Boles, to amend item 5 to read, "No extension of or connections to this pipeline, outside the UGB, shall be permitted."

Ms. Keller said that in order to proceed there would need to be an amendment of this intergovernmental agreement prior to any additional action because that would be the best safeguard for the City.

Mr. Torrey said that if the motion was passed there would have to be a change in the intergovernmental agreement. Mr. Klein stated that both the agreement and the Metro Plan would have to be changed, but they could be done simultaneously.

Roll call vote; the motion passed unanimously, 7:0.

Item Six

No comment.

Item Seven

Ms. Keller noted that the item said that the County shall prepare an emergency plan and also that it would address both short-term and long-term suspensions or terminations. It also said that the plan would specify how leachate production would be stored for 60 days. She said that the item did not appear to give adequate back up to a contingency in which, perhaps, the City terminated the right to discharge leachate on the basis that something very toxic was in the system and in order to comply with regulations the County would need two years to update its system.

Ms. Norris stated that if something like that were to happen, the County would have to have storage capacity for 60 days, but after that point it would have to do something else.

Ms. Keller said she thought that the language should reflect that the County should have additional plans should the period go beyond 60 days. Ms. Norris said she thought the item was clear.

Mr. Ruffier said that 60 days was chosen because it normally took 60 days to identify a source of toxicity and instigate control measures. He said that following 60 days, the problem would either have to be under control or the County would have to find alternative methods for dealing with the leachate.

Ms. Keller moved, seconded by Mr. Boles, that staff craft language that would deal with a plan for a situation longer than 60 days.

Ms. Swanson Gribkov asked if the situations were generally resolved in the 60-day period. Mr. Ruffier stated that it usually took 60 days to identify the problem and then control measures could be identified.

Mr. Torrey said he would not support the motion because he believed the issue was sufficiently resolved.

Ms. Nathanson said that she thought the item sufficiently addressed the problem raised by Ms. Keller.

Mr. Boles said he would support the motion because staff had stated that there was no requirement for the County to have a plan for dealing with leachate past the 60-day period.

Mr. Laue said that he thought that long-term plan meant that the County would have to create long-term plans to address any problems that would arise out of termination of its right to discharge leachate. He said he would not support the motion.

Roll call vote; the motion failed 5:2, with Mr. Boles and Ms. Keller voting in favor.

Ms. Swanson Gribkov, noting the lateness of the hour, requested that the council consider rescheduling items V (Council Committee on Environment and Economics) and VI (Ferry Street Bridge).

Ms. Norris said that staff needed to discuss item VI, but it would make sense to move item V to the October 9, 1996, meeting.

Ms. Swanson Gribkov moved, seconded by Mr. Torrey, that item V be moved to the October 9, 1996, meeting agenda. Roll call vote; the motion passed unanimously, 7:0.

Item Eight

No comment.

Item Nine

No comment.

Item Ten

Ms. Keller said that she was concerned with who would cover the costs. She said that in item seven, the City was named as responsible for covering the cost of reviewing the back-up plans and in item ten, the City was named as shouldering the cost of appeals. She said that the County should cover both costs.

Ms. Keller moved, seconded by Mr. Boles, to ask staff to craft language for both items that would indicate that the County would cover all costs incurred by the City.

Mr. Torrey said that if the County appealed and was successful in its appeal, based on an action taken by the City, the County should not have to bear the entire cost. He said the two jurisdictions would have to work together for efficiency in government and it was important to be fair.

Responding to Mr. Laue's question, Mr. Kohl stated that approximately 87 percent of the refuse that goes into the land fill is generated from within the UGB. Mr. Laue said that on some level, the leachate problem was Eugene's problem in that it provided the majority of the fill.

Roll call vote; the motion failed 5:2, with Mr. Boles and Ms. Keller voting in favor.

Item Eleven

Ms. Keller expressed concern that the pollutant levels could degrade the piping and the pumps, so she wanted to add an additional point to this item that would address the specifics of the piping and pumps involved in the system. Mr. Ruffier stated that he had seen some information that indicated that there were studies that supported the idea that leakage or transmission could occur through membranes in landfill liners. He noted that a landfill liner membrane was considerably thinner than the pipe material that would be used. He said that while there could be leakage through the pipe over an extended period of time, it was not likely that it would be of any significant degree. He said that there was nothing in the agreement that would cover any aspect of leakage directly from the pipeline.

Mr. Klein asked if the pipeline was covered in the definition of the Metropolitan Wastewater System. Mr. Ruffier said that he was unsure of the legal ownership of the pipe, but added that the pipeline was included in the definition of the Metropolitan Wastewater System. He said that the pipeline within the UGB was part of the Eugene Sanitary Sewer Collection System.

Ms. Keller asked if the City would monitor the pipeline. Mr. Ruffier stated that it would be monitored at a monitoring "manhole" or at the landfill itself.

Responding to Mr. Farr's question, Mr. Ruffier stated that under the draft intergovernmental agreement, the pipeline would be operated and maintained by the City of Eugene Wastewater Division, but ownership would not be part of the Regional System.

Ms. Keller moved, seconded by Mr. Boles, to amend item eleven to include item H that would read: "Any pollutant that may degrade the piping pumps or other components of the system prior to its entry into the UGB."

Ms. Swanson Gribkov asked if the suggested clause would clarify further intent. Mr. Ruffier stated that what was contained in item eleven was a synopsis of what was in the City Code regarding pretreatment provisions. He said it was repeated to be explicit in the agreement. Mr. Klein stated that the clause did help to clarify the agreement and he thought the language was helpful.

Roll call vote; the motion passed unanimously, 7:0.

There was no further discussion or comment about any of the items 1-18, with the exception of items 4, 14, 17, and 18.

Item Four

Mr. Boles moved, seconded by Ms. Keller, the adoption of Option A.

Mr. Boles stated that the City was already in a position wherein it had to involve itself in a solution that was not the best and most cost effective solution available. He said that the difference between the language was an attempt to place the burden for the management of these aspects on the City rather than on the County and to leave the control over decision making with the County rather than with the City. He said that he did not subscribe to that thinking and he would favor Option A in all cases.

Responding to Ms. Swanson Gribskov's questions, Christine Andersen, Public Works Director, stated that this situation was unique and aside from pump station reviews there was not another good example of a parallel. She said that the City reviewed but it would be at the expense of the individual providing the facility.

Ms. Keller said she would support the motion for similar reasons as Mr. Boles. She said the City had already incurred a great deal of cost in the County's attempt to save itself money and she did not think it was equitable for the County to save money by off-loading onto the City.

Responding to Mr. Laue's question, Mr. Ruffier stated that the permit application for discharge into the sanitary sewer system would be with the City of Eugene, the City would review the construction documents, and the County would pay the permit fees.

Mr. Torrey asked what would happen if the council supported Option A and Springfield and Lane County would not agree to that option. Mr. Klein stated that there would be no intergovernmental agreement and the council would most likely not approve the Metro Plan Amendment and the whole process would go before the Metropolitan Policy Committee (MPC).

Mr. Klein said that the options were created because City and County staff could not agree on these four items. He said that the County Commissioners had not reviewed the options yet.

Ms. Nathanson said that the two options were different in more than one respect. She said there was an issue of compliance of the design and the second issue was who would bear the cost of review.

Responding to Mr. Laue's question, Mr. Kohl stated that the entire pipeline was eight miles long and there was approximately one mile within the UGB and seven miles outside the UGB.

Roll call vote; the motion passed unanimously, 7:0.

Item Fourteen

Mr. Boles moved, seconded by Ms. Keller, the adoption of Option A.

Ms. Swanson Gribskov asked where Springfield was in the process. Ms. Andersen stated that the Springfield City Council was scheduled to review this on October 7.

Ms. Keller reminded the councilors that they were discussing the control of leachate that would be going into a system that was owned by Eugene and Springfield and not the three jurisdictions.

Mr. Klein explained that Option B would give the County the power of a veto.

Roll call vote; the motion passed unanimously, 7:0.

Item Seventeen

Mr. Boles moved, seconded by Ms. Keller, the adoption of Option A.

Ms. Keller stated that, under Option B, the City would be required to show, first, that any damage was the result of an error, omission, or act of negligence on the part of the County. She said that under Option A, the City did not have to first prove the County's negligence.

Mr. Klein stated that if the cause of the problem was unknown, under Option A the County would cover the liability and under Option B it would not cover the liability.

Roll call vote; the motion passed unanimously, 7:0.

Item Eighteen

Mr. Boles moved, seconded by Ms. Keller, the adoption of Option A.

Mr. Klein stated that the City was asking, that in the event the County failed to appropriate money to meet any obligation under the agreement, then the discharge would be suspended. He said the County was attempting to make that agreement for only certain monetary appropriations.

Ms. Keller said that the City would not be certain of having operable back-up safety systems because the City would not have the authority to suspend discharge if the County failed to appropriate funds for those systems.

Roll call vote; the motion passed unanimously, 7:0.

Ms. Keller stated that there would be people applying to hook up to the pipeline and they would be applying to the City of Eugene.

Ms. Keller moved to ask staff to add language such that the County shall cover staff costs and other expenses related to the application for hookup to this pipeline by other parties outside the UGB.

The council discussed the motion though it lacked a second.

Ms. Norris stated that the City could not assign that cost.

Ms. Andersen stated that such a request would require a Metro Plan Amendment.

The motion died for lack of a second.

Ms. Swanson Gribakov moved, seconded by Mr. Boles, that the council approve the intergovernmental agreement with Option A text for items number 4, 14, 17, and 18 and the other amendments that were made in context of the evening's discussion and forward the agreement to Lane County.

Mr. Boles urged the council to defeat the motion and instead offer the County an option to move to alternatives that would cost another two to three cents per Eugene user per month and did not require an exception to goal 11 and the extra monitoring.

Ms. Keller referred to the information that Mr. Boles had requested and she expressed her hope that the council would forward that information to the County. She said it was worth six cents to work with a different process. She added that the Creswell option appeared to be a win-win situation. She urged the County to consider a win-win situation with Creswell or consider on-site treatment.

Roll call vote; the motion passed 4:3, with Mr. Boles, Ms. Keller, and Mr. Laue voting in opposition.

Mr. Boles requested that the material on the draft intergovernmental agreement and his material be provided to Springfield.

Mr. Laue requested that, if in the future, the County moved to on-site treatment, it respond to how it intends to deal with the pipeline once it was no longer necessary.

Ms. Norris stated that the intergovernmental agreement would now go to the County Commissioners for review and if they were in agreement with the changes that the council had recommended, City staff would sign the agreement and bring the Metro Plan amendment to the council for action.

V. COUNCIL DIRECTION: COUNCIL COMMITTEE ON ENVIRONMENT AND ECONOMICS

This item was postponed to the October 9, 1996, City Council meeting.

VI. CONTINUED DISCUSSION: FERRY STREET BRIDGE

Ms. Andersen gave the staff presentation. She said that the money for this project was allocated out of the Intermodal Surface Transportation Efficiency Act (ISTEA) as a demonstration project and it was not a project that had gone through a Capital Improvement Programming Process. She said that the issue had always been politically charged. She said that last Friday, there had been a review of unobligated funds at the Federal level with serious questions about how rapidly the City was moving forward.

Ms. Andersen stated that the development of the project had been underway for one year and City staff was now in a place to have the whole project obligated by December 31, 1996, and have the entire project under contract by February 1997. She said that the Oregon Department of Transportation (ODOT) and the Federal Highway Administration (FHWA), in order to accomplish this, have agreed to work in a parallel track with the City. She said that the process would be

collapsed such that design decisions would be made jointly, agreed upon, and then moved into the final design phase.

Ms. Andersen stated that staff believed that this was an appropriate course of action for this project because when Congress reconvened in January it would review unobligated projects and it was likely that the money for this project would be lost unless it was obligated. She said that there was already 10 years of work invested in the project, so it was imperative to move ahead rapidly. She remarked that decisions would need to be made aggressively and quickly.

Ms. Andersen reported that staff had selected, for recommendation to the council, a suspension bridge for the bicycle bridge design, noting that it would lend itself to an aesthetically pleasing sky line.

Responding to Mr. Boles' question, Ms. Andersen stated that the City had committed the design contract and staff was projecting that it could move ahead with commitment of right-of-way acquisition, but until all of the money was obligated, just moving forward with Phase I would not ensure that future money would be available.

Mr. Boles expressed concern about the quality of the work that would be completed in the time crunch situation.

With respect to the bridge design, Mr. Boles asked if staff had polled the members of the Ferry Street Bridge Committee. Ms. Andersen said that the members had not been polled, but there were members on the design team. Mr. Reinhard added that John Lawless was on the design team and one of his key responsibilities was to create continuity between the Citizen Involvement Committee's (CIC) recommendations and the council's directions.

Mr. Boles urged the officers to work with staff to name a council surrogate that could give adequate attention to City staff during the phases of the project.

Ms. Andersen said that City staff believed that the options were viable, that the suspension bridge offered the best blending of the impacts, and a choice needed to be confirmed.

Mr. Torrey stated his support of the suspension bridge design. He recognized the efforts of Linda Lynch and her staff, Representative DeFazio, and those in the community who helped to save the project and the money for the project.

Ms. Andersen stated that the project needed to be 90 percent complete with plan specifications and estimates by December 31, 1996, to meet the obligation. She reiterated that the project would be a multi-year contract and staff would be able to work with issues as they arose.

Ms. Swanson Gribkov moved, seconded by Mr. Boles, that the council support the staff recommendation of the suspension bridge design for the bike bridge.

Ms. Swanson Gribkov said she appreciated the staff's work to save the project.

Ms. Keller agreed with the assessment that the suspension bridge was the correct choice. She urged staff to reorient its perspective drawings to view the bridge from the vantage point of someone sitting on the peninsula into the pond on the southeast corner. She expressed hope that staff would then

decide that it would be better to have the bike bridge parallel and closer to the Ferry Street Bridge. She said that the entire structure was being dumped right on top of the pond.

Roll call vote; the motion passed unanimously, 7:0.

Ms. Keller said that the City had been made aware of the pressure of possibly losing the money. She asked if there was any way to have a process wherein design and construction occurred simultaneously. Ms. Andersen said that that process was more common for buildings than these type of construction projects. She added that staff had discussed that process as a possibility but the difficulty was that ODOT, FHWA, and City of Eugene staffs had never worked with that kind of process. She said that the traditional type of process would be utilized.

Ms. Keller reiterated the importance of allowing time for review of the various pieces of the project so that mistakes did not occur. She remarked that the bridge was going to be a part of Eugene well into the future.

Ms. Norris stated that both ODOT and FHWA had been extremely helpful in expediting the process for the City of Eugene.

Ms. Keller moved, seconded by Ms. Nathanson, to ask the Mayor to write a letter of thanks to both ODOT and FHWA. The motion passed by consensus.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Linda H. Norris

Linda H. Norris
City Manager pro tem

(Recorded by Jennifer Self)
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