

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: May 24, 2010
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council meeting minutes.

SUGGESTED MOTION

Move to approve the minutes of the October 12, 2009, Work Session, January 11, 2010, Regular Meeting, January 25, 2010, Work Session/Urban Renewal Agency Meeting, March 10, 2010, Work Session, April 21, 2010, Work Session, and April 26, 2010, Work Session.

ATTACHMENTS

- A. October 12, 2009, Work Session
- B. January 11, 2010 Meeting
- C. January 25, 2010, Work Session/Urban Renewal Agency Meeting
- D. March 10, 2010, Work Session
- E. April 21, 2010, Work Session
- F. April 26, 2010, Work Session

FOR MORE INFORMATION

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MINUTES

City Council
McNutt Room—Eugene City Hall
777 Pearl Street—Eugene, Oregon

October 12, 2009
5:30 p.m.

PRESENT: Alan Zelenka, Mike Clark, Betty Taylor, Andrea Ortiz, Jennifer Solomon, George Poling, Chris Pryor, George Brown, members.

Her Honor Mayor Kitty Piercy called the October 12, 2009, work session of the Eugene City Council to order.

A COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Mayor Piercy commented on the recent well-attended “Great Solar Tour,” which was a big success. She also reported on her attendance at a performance at Yujin Gakuen Elementary School as part of the recent Day of Culture event, as well as her attendance at an event sponsored by Mid-Town Arts. She recognized the work Mid-Town Arts did to promote art in the community.

Mayor Piercy noted that Parks and Open Space staff had reduced its fuel usage by more than 20 percent and she commended staff for that achievement. She announced that Shasta Middle School would soon celebrate 20 years of being a sister school with the middle school in Eugene’s sister city, Kakegawa, Japan. Mayor Piercy noted that a local technology firm, Concentric Sky, won a contract to redesign Michael Moore’s Web site.

Mayor Piercy called on residents lacking health insurance to enroll in the Oregon Health Plan with the Oregon Department of Health and Human Services. She anticipated that due to demand, the State would use a lottery approach again this year for new applicants.

Mayor Piercy reported that the Hilyard Center and Adaptive Recreation Services would celebrate their 20th birthday and 40th anniversary, respectively, on October 17. She noted that a delegation from Bahrain was visiting Eugene under the auspices of Mobility International. She said a “Prevention Convention” would occur October 17, at Sheldon High School from 1 p.m. to 5 p.m.

Mr. Clark reported that he and Ms. Ortiz attended a joint elected officials subcommittee regarding ambulance service delivery and affordability on October 5. Later that evening, they also attended a meeting of the Oregon Department of Transportation (ODOT) steering committee for the Beltline improvement project. Mr. Clark thanked Police Chief Kerns for the discussion they recently had on downtown safety issues. He said that on October 15, the Eugene Chamber of Commerce would hold its annual Business to Business Expo from 4:00 to 7:30 p.m. He planned to participate in the City’s booth and encouraged council attendance.

Mr. Clark announced the November 5 Santa Clara Community Organization meeting, which would include a special presentation on the Eugene Comprehensive Land Analysis (ECLA). He said that residents of Santa Clara believed the outcome of the process would significantly impact their neighborhood.

Mr. Pryor spoke of a smoke detector distribution project conducted by the Red Cross and City of Eugene. Smoke detectors were distributed in the Trainsong neighborhood; 76 University of Oregon students assisted in the process as well as six staff from the Fire & Emergency Medical Services (FEMS) Department. He thanked Sandra Johnson of that department for her assistance and Bi-Mart for donating the materials.

Mr. Pryor reported that the Housing Policy Board met that week and began to discuss potential new projects.

Ms. Taylor asked if the City was doing anything about leaves blocking bicycle paths. She reported that she had attended the October Metropolitan Policy Committee on behalf of Mr. Zelenka and noted the distribution of information about that meeting.

Ms. Ortiz reported that she attended several of the FEMS forums for solutions to continue ambulance service funding. She had also attended the Civilian Review Board forum regarding the downtown taser incident. Ms. Ortiz had also attended the meeting of the Trainsong neighbors and commended them for the progress they were making. She reported that she and Ms. Solomon had met with some residents at Putters to discuss planning along Highway 99.

Ms. Ortiz indicated she intended to attend the next day's Lane Regional Air Protection Agency (LRAPA) meeting to hear about Seneca's bio mass plant air quality permit.

Mr. Brown reported on his attendance at the recent McKenzie Watershed Council retreat. He said that the watershed council was doing considerable habitat restoration as well as monitoring for water quality. He said the council also had embarked on a broad campaign to halt the spread of invasive species in the watershed. Mr. Brown said he also attended the Police Commission meeting, which discussed its bylaws and a report from the Use of Force Subcommittee. Mr. Brown reported that he also met with Jana Rygas of the Save Civic Stadium campaign and shared some promising ideas about putting the organization on a more professional footing to be in a position to possibly acquire the stadium property.

Ms. Solomon reported she attended a recent meeting of the Metropolitan Wastewater Management Commission, which she enjoyed. She noted the upcoming Active Bethel Citizens meeting occurring on October 21, at 7 p.m. at Peterson Barn and invited residents to attend.

Mr. Poling reported that the Executive Committee of Travel Lane County had met to review a draft audit and hear a presentation on the organization's new interactive website. The Travel Lane County Board of Directors was meeting on October 22 in Florence as the board's monthly meetings were held in different venues each month. He said that same night, he and Mr. Clark would attend the Cal Young Neighborhood organization meeting.

Mr. Zelenka also commended Concentric Sky for receiving the contract to redesign Michael Moore's website and recognized that one of the firm's principals, Mike Biglan, was a member of the City's Budget Committee. Mr. Zelenka also congratulated Kristi Hammitt, recently appointed as the City's permanent Central Services Director.

Mr. Zelenka recognized the appointment of City employee Gary Gillespie to the Lane Transit District Board of Directors.

Mr. Zelenka noted the October 21 meeting of the Sustainability Commission and the October 22 meeting of the South University Neighborhood Association. He also noted the upcoming Thousand Friends of Oregon workshop on greenhouse gases being held at the Springfield Library on October 27.

City Manager Ruiz indicated he planned to attend the Business to Business event. He noted the Prevention

Convention was the second such event and thanked Lisa Barrong of the Eugene Police Department and her staff for their work on the event. He also recognized the anniversary of the Adaptive Recreation function and thanked staff. He noted the fact it was Adaptive Recreation Month, and encouraged councilors to talk to Adaptive Recreation staff about the work it was doing. He commended the professionalism and quality of Adaptive Recreation staff.

City Manager Ruiz also planned to attend the Cal Young Neighborhood Association meeting.

City Manager Ruiz said the Budget Committee would meet on November 2. He believed last year's budget process went exceptionally well and anticipated this year's budget would be equally challenging, if not more so.

City Manager Ruiz noted the upcoming Eugene Counts event on October 14. He also announced the Low to No Vision Resource Fair, part of the White Cane Celebration, scheduled on October 15 at the Hilyard Community Center.

B. WORK SESSION: H1N1 Briefing

The council was joined by Joe Rizzi of the City's Human Resource and Risk Services Division, who provided an update on H1N1 in the community and answered council questions about the nature of the illness. Mr. Rizzi emphasized that people should stay home if they were ill, should cover their mouths when they coughed, and should wash their hands. He also provided the Lane County information hotline: 682-4181.

C. WORK SESSION: Engaging the Community in Land Use and Future Growth Options

The council was joined by Carolyn Weiss of the Planning Division, who provided an update on the public involvement process that will follow the Eugene Comprehensive Land Analysis (ECLA). This process will build on the results of the ECLA to define a vision for the future of Eugene. Planning Director Lisa Gardner and City Attorney Glenn Klein were also in attendance. Councilors asked questions clarifying the information presented.

Mayor Piercy solicited council comments.

Mr. Clark advocated for a process that was different than the traditional discussion the community had held on such issues. He wanted to avoid polarization and to bring people together as much as possible. He called for a principle-driven process that talked about the shared principles and values that everyone in the community had, and a push toward solutions that focus on those shared principles and values.

Mr. Clark asked where adoption of the ECLA fit in the deadlines associated with House Bill 3355. Ms. Gardner said the City would meet the requirement established by the legislation by December 21, 2009. The chart provided by the council demonstrated there were many ongoing efforts that would inform the policy choices that followed; the question was at what point in time did the council want to "take the snapshot" that informed its decisions. She suggested that progress on some of the projects would help paint a more complete "policy picture."

Responding to a follow-up question from Mr. Clark about the legal timelines mandated by the state legislature in regard to the establishment of a Eugene-only UGB, Mr. Klein indicated legal staff would follow-up with a memorandum. Responding to a follow-up question from Mr. Clark, Mr. Klein averred that HB 3355 did not split the Eugene-Springfield UGB but gave both communities the authority to independently establish a UGB. Mr. Clark asked if it was true that nothing that Eugene did as part of its adoption process affected Springfield, and vice versa, all the way to adoption of the UGB. Mr. Klein said in general, yes; however, he would ensure staff followed up in the memorandum. He reminded the council that the Lane Board of County Commissioners was also a part of any decision-making process related to the UGB.

Responding to a question from Ms. Solomon, Ms. Weiss indicated that the process proposed by staff reflected some of the elements of the Cheyenne model mentioned in the packet materials; however, the principles and outcomes were generated by staff with a focus on Eugene. She said staff provided the Cheyenne example because it had been inspired by some aspects of it and wanted to share it with the council. It was not a traditional planning document. It was very user friendly and not just to those interested in land use but to the entire community. Ms. Weiss said the Cheyenne model addressed both vision and implementation. While she thought the City's existing plans had great goals and good policies, Eugene did not have a lot of clarity around its vision. She noted that Cheyenne had also spent considerable time on the implementation element of its plan.

Mayor Piercy noted the council had received a link to the Cheyenne plan, which she found interesting.

Mr. Pryor liked the idea of employing the elements of the Cheyenne model that worked best. He also recommended staff to employ those elements of the Eugene Decisions process that had worked. He cautioned against giving people the false sense that their suggestions would be automatically implemented and wanted staff to be clear the City was asking for input as opposed to a decision. He said the goal of improved understanding of common goals and community vision would require multiple steps over a significant amount of time. Mr. Pryor was interested in seeing how staff connected the dots in the final planning document.

Mr. Poling liked many of the ideas from the Cheyenne model and encouraged staff to glean what it could from it. He expressed concern that the process had the potential of taking on a life of its own. He was also concerned that the council tended to see the same people offering public input, and while he appreciated their input, he wanted to see some new faces. He approved of the draft principles and outcomes as a starting point.

Mayor Piercy urged staff to be clear about what the City was trying to accomplish and what the necessary steps were, and to say it in enough ways that it would be heard by as many as possible. Speaking to the nature of citizen participation, Mayor Piercy suggested that some people were just more involved than others and people participated in different ways, leading to multiple tools to facilitate that participation. She encouraged staff to consider using media opportunities to extend an invitation to citizens to participate.

Ms. Ortiz expressed appreciation for the citizens the council heard from on a regular basis, but wanted to challenge the "usual suspects" to bring someone new with them to an ECLA forum. She suggested that the templates for each neighborhood might be different depending on the level of citizen input. She asked if citizens could suggest code revisions. Ms. Gardner anticipated that such suggestions could come through the Infill Compatibility Standards project as well as the Strategic Neighborhood Action Plans.

Ms. Taylor asked questions clarifying the steps remaining to be completed in the ECLA. She did not want the process to preclude citizens from offering viable options to the City.

Mayor Piercy did not want the public conversation to be too broad or too narrow. She said that the Eugene Decisions process had been a broad one but it was conducted several years ago and it was time to check back in with the public on the policies it wanted guiding the community. She wanted ECLA to inform the decision-making process rather than drive it. Mayor Piercy thought the council's policies needed to be the lens through which the council addressed the supply questions that came from ECLA, rather than vice-versa. She said if the council chose to adjust those policies that required another discussion. She suggested the real question was how the council wanted the community to look, and how it could address the community's needs within that policy context. Mayor Piercy said the council needed to have some agreement about that policy lens before it went to the citizens to ask their opinion. If the council had disparate ideas about what it was trying to accomplish, she anticipated a problem.

Ms. Solomon asked how Mayor Piercy's comments fit with the timing associated with ECLA and the deadlines set by the State. Ms. Weiss indicated staff would return with more information.

Mr. Pryor suggested the question was whether information drove policy or if policy drove information. He suggested the former was preferable. He said that perspective and perception also drove policy. Mr. Pryor said the community had opinions, regardless of their factual basis, and the City needed to acknowledge those perceptions if it was to have a meaningful discussion about land use and growth. He anticipated both a "fact" discussion and a "perception" discussion would occur, and believed the council would need to consider both in its decision-making.

Mr. Clark agreed the community had many opinions, and finding a common vision would be a Herculean task. However, he continued to be interested in a process that focused on shared principles and values and believed that could be accomplished. He expressed concern that the legislature could step in if the process took too long to complete.

D. WORK SESSION: City Council Process Session

The council discussed carry-over items 9-12 from its recent process session. Assistant City Manager Sarah Medary clarified that not all the items were generated by councilors; some were generated by staff.

11. Mayor/City Council e-mail list

Ms. Medary briefly described the scope of the list and recalled that a concern had been expressed by a councilor that too many people were on the list. Councilors indicated they had no concerns in this area.

12. Inclusion of ordinances showing legislative/grammatical changes in agenda packets.

Mr. Klein outlined a proposal to more clearly show councilors legislative changes in ordinances. The council had no objections to the proposal.

10. New tools/technology for agenda materials, meeting records and minutes, goals and issue tracking

Ms. Medary reported that the City was working with SharePoint, an online collaboration tool and suggested that councilors who wished to employ the tool could do so. Councilors were very supportive of the use of new technology, with cautions of the need to be aware of the limits imposed by the Public Meeting Law on council discussion using SharePoint.

Ms. Ortiz asked that staff keep in mind some people were more conversant with technology than others. She also asked that the council assignments list be updated on the website. Mr. Clark observed that the City's home page still included pictures of former councilors.

9. City Council meeting minutes—detailed versus summary versus video.

Ms. Medary sought council direction on the level of detail needed in minutes or whether video would be appropriate as a substitute for minutes. Councilors were not unified in regard to the subject. Mr. Zelenka supported the use of webcasts due to their accuracy, and suggested annotated summary minutes with the time noted to allow people to refer to the webcast. He suggested that the City could hire a resource person to assist those without computer skills. Mr. Clark suggested that minutes provided a valuable level of access for many residents and provided an accurate record of what occurred. He thought it was prudent to make any needed transitions slowly. Mr. Brown found minutes useful on some, but not all occasions. He had been quite interested to see the archived minutes related to

urban renewal and thought the detail provided had been useful. He determined from Ms. Medary that the webcasts as well as written minutes were archived.

Mr. Poling commended the summaries prepared by Council Coordinator Beth Forrest, to which he frequently referred. However, he also referred to the minutes of other groups, particularly when the council was considering a recommendation from an advisory group. He liked having hard copy minutes and thought they were a valuable tool. Ms. Solomon was unsure of her position, and asked if the City could broadcast more meetings, such as Police Commission and Housing Policy Board meetings, over the Web. Ms. Medary indicated she would look into that. Ms. Solomon determined from Ms. Medary that the issue was raised in part due to resource concerns. Ms. Solomon thought it was important to consider transparency when talking about meeting minutes. She expressed concern about spending more in one area to save in another area.

Mr. Pryor suggested that the minutes needed to be in a format that could be preserved, and paper was not the perfect format for that. He suggested that something on CD could be updated to a new technology. He agreed that access was another issue. He said he preferred a summary approach; if he wanted to know more, he could go back to the video recording. He believed that the actual broadcast would provide a better sense of legislative intent than written minutes. Ms. Taylor was also unsure of her position. She was not ready to say that minutes were not needed. She pointed out that not all citizens had access to computer technology. She was not ready to fire the minutes recorders yet.

Mayor Piercy suggested that the issue did not concern the council only; she believed that the public had an interest in the subject as well. She did not want to make a determination without giving the community an opportunity to weigh in.

Mr. Clark invited the input of minutes-recording staff.

Mr. Zelenka suggested the minutes recorders would have a new job annotating the webcasts. He said his suggestion would only work for those meetings on webcasts, while other meetings would still have minutes recorders unless the City held more meetings in rooms that were wired for webcasting. That was also a resource issue.

Ms. Ortiz concurred with the remarks of Mayor Piercy. She said that she sometimes had a difficult time understanding those offering public comment, and often relied on the minutes for that information.

Mayor Piercy adjourned the work session at 7:25 p.m.

Respectfully submitted,

Jon Ruiz,
City Manager

(Recorded by Kimberly Young)

MINUTES

City Council
McNutt Room—Eugene City Hall
777 Pearl Street—Eugene, Oregon

January 11, 2010
7:30 p.m.

PRESENT: Mike Clark, Betty Taylor, Jennifer Solomon, George Poling, Andrea Ortiz, Chris Pryor, George Brown, members.

ABSENT: Alan Zelenka.

Her Honor Mayor Kitty Piercy called the meeting of the Eugene City Council to order.

1. ACTION: Election of Council Officers

Councilor Zelenka, seconded by Councilor Poling, moved to select Mike Clark as President of the City Council for 2010. Roll call vote: the motion passed unanimously, 8:0.

Councilor Zelenka, seconded by Councilor Clark, moved to select Betty Taylor as Vice President of the City Council for 2010. Roll call vote: the motion passed unanimously, 8:0.

2. PUBLIC FORUM

Mayor Piercy reviewed the rules for the public forum.

Mayor Piercy determined there was no councilor who objected to taking action on the item.

Mr. Clark, seconded by Ms. Ortiz, moved that the council adopt Council Bill 5022, a bill adopting hazardous substance user fees for the fiscal year commencing July 2, 2010.

Responding to a question from Mr. Poling about the percentage increase in fees and how it related to other City fees, Mr. Potter said that the fee increase was approximately six percent, but he did not know how that increase compared to increases or decreases in other City fees. He said the fee was not derived by a set inflation formula but rather to the number of a reporting firm's employees.

Roll call vote; the motion carried 5:2; Ms. Solomon and Mr. Poling voting no.

Andrew Fisher, 2450 Jackson Street, Eugene, sought the council's support in preserving the former Joe Romania Showroom, an example of Googie architecture. He said the showroom was considered the strongest example of the style in Eugene. He suggested that the showroom was a community asset and cultural artifact and could be a catalyst for redevelopment of the Walnut Street Station. He recommended it be preserved in an open park-like space that gave people a chance to gather and contrasted to the proposed dense infill being planned. Mr. Fisher cited several reasons in support of his proposal, including that this building embodied an era of history embodied by a distinct style, was the work of accomplished local architects and builders, that it contained elements of significant architectural design and innovation, that it told the history of local business

development, that it would provide important historic context for the Walnut Street Station, and that it could be part of a signature entrance to Eugene.

Rick Henson, 317 South F Street, Springfield, AFSCME Local 1724, noted the City's decision to contract out ten maintenance jobs at the Eugene Library, and said AFSCME believed it was a bad decision with a long-term negative impact on the community. He suggested the community looked to City for leadership in creating family-wage jobs. He asked the council to reverse the decision and restore the jobs. Mr. Henson also expressed concern about the relationship between the City and its unions and suggested the City did not partner in good faith given its tendency to act unilaterally, sometimes in violation of contracts. He said AFSCME had volunteered to collaborate with the City and would continue to do so to get the situation back on track, which was important for the future of the relationship when economic times improved.

Lou Sinniger, 25416 Irene Street, Veneta, a former AFSCME 1724 representative, provided some background on the negotiations that occurred between the City and AFSCME in 2005-2006 in regard to contracting out services under former City Manager Dennis Taylor, which resulted in the development and mutual adoption of a competitive service assessment tool to determine whether contracting was appropriate. City Manager Taylor had endorsed the tool. Mr. Sinniger said the City did not use the tool when it decided to contract out services at the library, which surprised him after all the work that had gone into it.

Cindy Clark, 1620 Coburg Court, represented AFSCME Local 1724. She expressed concern about the relationship between AFSCME and the City and asked the council if the decision was consistent with its goals and the community's values. She asked how eliminating ten family-wage jobs and replacing them with minimum-wage jobs met the council's goals. While she applauded the fact the contracting firm hired disabled individuals and veterans, and noted the City did the same, she also questioned how hiring a disabled person at a lower wage than other people doing the same work fit the council's goals and the organization's diversity goals. She asked if it was prudent to risk the asset represented by the library to a firm that was not doing a good job at the other facility it maintained, the Atrium, and asked how much it would cost to restore the library when the damage was done. Ms. Clark also questioned the City's expenditure on a new City Attorney and management positions in a number of areas at the same time it was reducing family-wage jobs.

Josh Skov, 2036 Willamette Street, a member of the Sustainability Committee, discussed the City's use of federal Surface Transportation Program (STP) funds and recommended that they be prioritized for bicycle and pedestrian investments. He suggested the use of money for transportation other than those purposes was at odds with other council goals. Mr. Skov recommended that the council direct staff to favor bicycle and pedestrian investments in its lobbying for federal funding, direct staff to "level the playing field" in terms of alternative modes planning, and to direct staff to seek "win-win" investments that benefit the automobile as a "side effect" of pedestrian- and bicycle-related projects.

Vic Sabin, 1895 Columbia Street, objected to the fact that a City employee installed signs for university permit parking along his street without notice to residents. He acknowledged the University of Oregon owned many of the properties along the street, but there were private houses bordering East 19th Avenue, so he had felt relatively secure until he saw the signs. He had submitted photographs of the signage to the council and questioned its logic. He pointed out that such restrictions were worse for families with children, and for families without direct access to Columbia and Moss streets. He asked that the signs be taken down from the front of privately owned property.

Mel Oberman, 1895 Columbia Street, shared Mr. Sabin's objections to the signage installed by the City of Eugene. He said that the situation would be made worse by new apartment construction that would displace existing parking.

Dennis Gabrielson, 300 South 10th Street, Creswell, objected to the mandated furloughs imposed by the City on its AFSCME employees and predicted they would be found unlawful. He objected to the expenditure of funding on the Beam project at a difficult economic time and suggested that the council stop considering federal money to be free money. Mr. Gabrielson also noted his objection to the Dream Act. He did not think that illegal immigrants should be given special treatment. He indicated his concurrence with the remarks of Ms. Clarke about the firm that maintained the library, saying it also maintained the wastewater facility and many people did not feel it did a good job.

Mayor Piercy closed the public forum. She noted her own concerns about contracting City services as a policy and was also concerned about the relationship between the City and its unions. She had sought direction from the City Attorney about the degree to which the council could become involved in the issue and was waiting to hear back. She thanked the Sustainability Commission for sharing its concerns and noted that she had sent an e-mail to the council that afternoon about the same issue. She acknowledged the gap in preservation funding but questioned if the council wanted to restrict STP funds by policy to that use.

Councilor Poling asked how many people were laid off as a result of the library contract. City Manager Jon Ruiz indicated no City employees were laid off. Councilor Poling asked about the training provided to contract employees. City Manager Ruiz said he would get back to the council on that issue. Councilor Poling suggested that if the work was substandard, that was not what the City was looking for. He asked what impacts on other service areas or employees were involved in the reduction. City Manager Ruiz indicated that the City's goal was to minimize the impact of such reductions on services and avoid layoffs. He said that the City succeeded in that goal. He did not know what other options had existed and did not want to speculate.

Councilor Poling asked about the new manager position at the library. City Manager Ruiz explained that the City combined two positions into one position and retitled it.

Councilor Clark asked if City Manager Ruiz considered the contract a change in policy. City Manager Ruiz indicated that the occasion was the first time it occurred in his knowledge. Responding to a question from Councilor Clark about the actual savings realized by contracting maintenance services at the library, City Manager Ruiz estimated the savings at \$250,000 annually, and indicated that \$100,000 had been saved in fiscal year 2010. Councilor Clark asked how much the contracted employees were paid, and if City Manager Ruiz would characterize it as a "non-living wage." City Manager Ruiz acknowledged the hourly rate was less and indicated he would have to return with a comparison.

City Manager Ruiz expressed appreciation for the work of City employees and for AFSCME's representatives, and suggested that parties shared different viewpoints. He wanted to work on the relationship and thought the city had an opportunity to improve things and said "we will." His motivation for the change was to ensure that all employees could remain employed with the organization. He believed that conflicting values were at work and said the City needed to work through those.

Speaking to the concerns expressed by Mr. Sabin and Mr. Oberman, Councilor Clark asked if some houses lacked on-street parking entirely. Planning and Development Director Susan Muir did not think so, and indicated she would follow up. She said she also planned to meet with Mr. Savin and Mr. Oberman to see if there was a "win-win" situation that could be found.

Mayor Piercy adjusted the agenda to accommodate the schedule of Councilor Ortiz.

**5. ACTION:
Interim Appointment to the Budget Committee**

Councilor Clark, seconded by Councilor Taylor, moved to appoint Aaron Walker as an interim appointment to the Budget Committee to Position 6, the unexpired term of Noah Kamrat, which will expire on June 30, 2012.

Councilor Clark commended both candidates and indicated he offered Mr. Walker's name because of his residency in north Eugene. He reminded the council about its recent discussion about the need for geographic diversity on City boards and commissions as part of its discussion of the Human Rights Commission work plan. He pointed out that, currently, seven lay members of the committee were from south Eugene.

Councilor Zelenka, seconded by Councilor Taylor, moved to substitute Shanda Miller for Aaron Walker as an interim appointment to the Budget Committee to Position 6, the unexpired term of Noah Kamrat, which will expire on June 30, 2012.

Roll call vote: the vote on the motion was a 4:4 tie; councilors Clark, Solomon, Poling, and Pryor voting yes; councilors Taylor, Zelenka, Ortiz, and Brown voting no; Mayor Piercy cast a vote in favor of Ms. Miller, and the final vote on the motion was 5:4.

3. **CONSENT CALENDAR**

A. Approval of City Council Minutes

- January 12, 2009, Executive Session
- June 24, 2009, Work Session
- July 13, 2009, City Council Meeting
- October 28, 2009, Work Session
- November 9, 2009, City Council Meeting
- November 16, 2009, Public Hearing
- November 23, 2009, City Council Meeting

B. Approval of Tentative Working Agenda

C. Adoption of Resolution 4996 Acknowledging Receipt of the City of Eugene Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2009

D. Adoption of Resolution 4997 Authorizing the Execution of HUD Section 108 Notes in the Amount of \$5,189,000

E. Interim Appointment to the Human Rights Commission

F. Ratification of Intergovernmental Relations Committee Minutes of October 21, 2009

G. Adoption of Resolution 4998 Adopting Inflationary Adjustments to Systems Development Charges for Parks System, Local Wastewater System, Stormwater System, and Transportation System; Superseding Administrative Order 58-08-02-F; and Amending Resolution No. 4900

Councilor Clark pulled Item G.

Councilor Clark, seconded by Councilor Taylor, moved to adopt the Consent Calendar with the exception of Item G. Roll call vote: the motion passed unanimously, 8:0.

Councilor Ortiz left the meeting.

Councilor Clark recalled that the council had postponed making an adjustment to the systems development charge in June 2009 because of the economy. Nancy Burns of the Public Works Engineering Division confirmed that fact. Councilor Clark did not think the economy had improved and asked the consequences of postponing action. Ms. Burns said that would delay some additional revenue collection related to permits submitted during that time, and the possible delay of some capital projects. Councilor Clark asked about the

projects involved. City Engineer Mark Schoening was unable to provide a list of projects. He said that systems development charge revenues had declined dramatically and many projects were being postponed.

Councilor Clark, seconded by Councilor Solomon, moved to amend Section 6 of the resolution to change the effective date from April 1, 2010, to October 1, 2010.

Councilor Pryor asked if staff had a sense of the scale of the dollars involved in a delay. Mr. Schoening estimated that tens of thousands of dollars were involved. He said that no projects would be stopped as a result of the motion. Councilor Pryor indicated he was inclined to support the delay for another six months but believed that was the last time he would be willing to postpone the adjustments.

Mr. Schoening determined that Councilor Clark was interested in delaying the implementation of the adjustments for a six-month period.

Councilor Clark favored the delay to give the economy time to improve.

Councilor Zelenka asked staff if it could provide an analysis of the fiscal impact by January 12. Mr. Schoening said yes.

Councilor Zelenka, seconded by Councilor Taylor, moved to table the item until January 13, 2010. The motion passed, 4:3; councilors Clark, Solomon, and Poling voting no.

Mayor Piercy adjourned the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

**4. ACTION:
Resolution 1054 Acknowledging Receipt of the Annual Report of the Urban Renewal Report of the Urban Renewal Agency of the City of Eugene, Oregon, for the Fiscal Year Ended June 30, 2009**

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 1054, Acknowledging Receipt of the Annual Report of the Urban Renewal Agency of the City of Eugene, Oregon, for the Fiscal Year Ended June 30, 2009. Roll call vote: the motion passed unanimously, 7:0.

Mayor Piercy adjourned the meeting at 8:21 p.m.

Respectfully Submitted,

Jon Ruiz
City Manager

(Recorded by Kimberly Young)

MINUTES

Eugene City Council
Work Session and Meeting of the Eugene Urban Renewal Agency
McNutt Room – City Hall
777 Pearl Street—Eugene, Oregon

January 25, 2010
5:30 p.m.

COUNCILORS PRESENT: Chris Pryor, Mike Clark, George Brown, Andrea Ortiz, Alan Zelenka, Betty Taylor, George Poling, Jennifer Solomon

Mayor Piercy called the work session meeting of the Eugene City Council to order at 5:30 p.m.

A. **WORK SESSION – Committee Reports and Items of Interest from Mayor, City Council and City Manager**

Ms. Piercy thanked the members of the Human Rights Commission and the NAACP for their recent participation in a series of events in recognition of t Martin Luther King Jr. Day. She noted she had met with representatives of the Asian community to listen to their concerns regarding a recent tasing incident.

Ms. Piercy reported she had spoken with a group of students from Lane Community College to discuss the importance of voting. She noted she had attended the recent Fire/EMS awards event.

Ms. Piercy noted she had recently been appointed to the Oregon Commission for Child Care and had attended her first meeting as a member of that group. She commented that the recent walking and biking tour before the council's goal setting meeting had been excellent.

Ms. Piercy noted that the Green Home show had taken place in Eugene during the previous week and had been quite well attended. She stated that Police Auditor Mark Gissiner had distributed a report to both her and the council members and was expected to provide supplemental presentation to that report on February 8.

Ms. Piercy noted that a member of the City's Civilian Review Board, Snell Fontus, was currently involved in ongoing humanitarian earthquake relief efforts in Haiti and suggested that the council might draft a letter thanking Mr. Fontus for those efforts. She took note of Police Chief Pete Kerns' recent report of a bias crime in the Bethel area.

Mr. Zelenka arrived to the meeting at 5:32 p.m.

Ms. Taylor commented on her and Mr. Clark's recent meeting with Mr. Gissiner and Assistant Auditor Dawn Reynolds and looked forward to Mr. Gissiner's presentation to the council on February 8.

Ms. Taylor reported that she, Ms. Solomon and Mr. Poling had recently met with the street assessment committee. She further reported that the meeting had included Public Works Engineering staff members Mark Schoening and Fred McVay and believed that the meeting to discuss issues such as third assessments and the travel shed had been very productive.

Mr. Taylor noted she had attended a meeting of the downtown parking subcommittee earlier that day. She noted that although no significant agreements had been made during the meeting she appreciated the level of discussion and the nature of the ideas that had been presented.

Ms. Ortiz commented on a number of events she had attended during the previous week including a meeting at the Bethel School District.

Ms. Ortiz commented on recent developments at the Lane Regional Air Pollution Authority (LRAPA) and noted that she had asked that group to investigate certain team building strategies that the Eugene City Council had used with Bob Chadwick.

Ms. Ortiz noted that the culinary students at the Serbu Youth Center would be having an open house event on Thursday, January 28, in order to promote their catering services.

Mr. Pryor reported he had attended the recent annual dinners of the Eugene and Springfield Chambers of Commerce. He was pleased to see the emphasis on partnership and cooperation that had been demonstrated at those events.

Mr. Pryor commented on the recent council goal-setting meetings and believed that significant progress had been made to identify many of the strategic and priority issues to be folded into the City's budget processes.

Mr. Pryor noted the City Housing Policy Board's allocations committee had met earlier that day to discuss the granting process for the current year and that a site north of the old Westmoreland School near City View and 18th Avenue had been identified as the next area for development.

Mr. Pryor commented on the downtown parking subcommittee's meeting earlier that day and noted that a certain small amount of incremental progress had been made.

Mr. Pryor noted he would be attending the Mayor's next community one-on-one event at the Albertson's on Chambers Street on January 26 at 5:00 p.m.

Mr. Zelenka noted the significant turnout at the recent Martin Luther King Day celebration events. He believed that the council's recent goal-setting session had indeed been productive.

Ms. Solomon noted she had attended the Human Services Commission's (HSC) recent meeting and noted that the HSC had modified certain aspects of its budget processes based on its recent community outreach efforts. She hoped to have further information on the matter after the next HSC meeting.

Ms. Solomon believed that the recent street assessment committee meeting she had attended had been highly productive.

Ms. Solomon noted that the Public Safety Coordinating Council had recently released a report card which had indicated several areas where public safety efforts could be improved in the community. She reported she had recently met with representatives from the Buford Park Mt. Pisgah Project and noted that it had been highly informative.

Mr. Poling commented on the students from schools in the Eugene and Springfield communities who had been recognized for their achievements at the recent Chamber of Commerce dinners. He noted he had received an email from a constituent about traffic and pedestrian problems on Crescent Avenue and asked Assistant City Manager Sarah Medary to investigate the matter.

Mr. Poling congratulated those who had recently been promoted in the Fire/EMS department and those who had also received the department's civilian awards. He stated that Lane Council of Government's (LCOG) annual awards dinner was scheduled for Thursday, January 28, and that Mr. Pryor would be serving as master of ceremonies for the event.

Mr. Brown noted his participation in the recent Martin Luther King Day events. He said he had attended the recent Human Rights Commission meeting and had been pleased to learn more there regarding the Police Auditor's office.

Mr. Brown reported he had recently spoken at a town hall meeting of the local Citizens for Public Accountability group at the WOW hall.

Mr. Clark noted his attendance at the Police Commission meeting on January 14. He noted the meeting had involved a very productive discussion on police taser policies and a report from Municipal Court Judge Wayne Allen. He noted that Judge Allen had made comments regarding the number of jail beds currently available and had also advocated for increased crisis intervention training (CIT) strategies with respect to current Eugene Police Department (EPD) taser training practices.

Mr. Clark noted his participation in the recent Martin Luther King Day events. He congratulated local business owner John Shepherd on his receipt of the Eugene Chamber of Commerce "First Citizen" award in recognition of his work with the Relief Nursery and other local social service agencies.

Mr. Clark noted he had also attended the recent Eugene Fire/EMS awards event and had been particularly impressed with the private business partners that the Fire/EMS department used to lower the costs to the taxpayers of the community. He reported he had presented the opening remarks for the recent City boards and commission training sessions.

Mr. Clark commented on the recent meeting of the Downtown Parking Subcommittee he had attended and thanked Planning Director Susan Muir for her efforts to help that group develop a set of data to help the council adopt parking strategies for the benefit of the downtown area.

Mr. Clark reported that the next meeting of the Cal Young Neighborhood Association had been scheduled for Thursday, January 28, at 7 p.m. at the Sheldon Community Center.

Ms. Medary thanked the staff of the Eugene Airport and noted that they had been extremely helpful to her in her recent travels. She commented on the recent council goal-setting session and reminded those present that the session had been televised and was available for public review through the City of Eugene's website.

Ms. Ortiz stated she had not received any responses from City staff to her inquiries on current taser policies. She believed that the Police Commission members had felt pressured by the council to complete their reviews and recommendations on the City's taser policies and further recommended that the commission be allowed to work at its own pace regarding the matter.

Ms. Ortiz also commented on Dr. Fontus' recent participation in Haitian earthquake relief efforts and suggested that in lieu of other forms of support the City might choose to make a donation to the Red Cross.

Mr. Clark agreed with Ms. Ortiz's comments regarding the Police Commission's review of current EPD taser policies and felt it was unfortunate that it appeared that the commission's review had been rushed. He encouraged the Police Commission members to take the appropriate amount of time to develop taser policy recommendations that would be supported by the public.

Ms. Piercy suggested that the council members confer with Ms. Ortiz so that she might be able to communicate any relevant information regarding discussions of taser policies to the Police Commission.

Mr. Zelenka and Ms. Taylor each noted that they wished for the Police Commission to proceed more quickly with its development of taser policy recommendations. The remainder of the council members generally agreed that the Police Commission should be allowed to proceed at its own pace.

Ms. Ortiz noted that the Police Commission needed the opportunity to adequately respond to a variety of unbalanced public comments that had been made regarding taser policies. She further noted that historically the Police Commission had never been subject to a timeframe for its work.

Ms. Piercy reported that students from Eugene's sister city Jinju in South Korea had recently visited the area.

Ms. Piercy adjourned the work session meeting of the Eugene City Council and convened the meeting of the Eugene Urban Renewal Agency at 5:51 p.m.

B. WORK SESSION: Lane Community College Downtown Center Project

Ms. Piercy introduced Lane Community College President Mary Spilde.

Ms. Spilde thanked Ms. Piercy and the council members for the opportunity to speak regarding Lane Community College's (LCC) development plans for the 10th Avenue and Charnelton Street site.

Ms. Spilde provided the council with an overview of LCC's development plans and noted that they corresponded with LCC's commitment to providing its students with excellent instructional resources while at the same time incorporating the college's sustainability values and collaborative partnership strategies.

Ms. Spilde commented on LCC's current downtown facilities and expressed that they were insufficient for the current and future needs of LCC. She noted that the downtown facility was used by significant numbers of marginalized students and that an improved facility was essential to providing those students with quality educational opportunities.

Ms. Spilde discussed the current enrollment at LCC's main campus and downtown facilities and noted that the development of the 10th and Charnelton site was vital to the continued expansion of LCC. She further noted a number of LCC programs and services that were expected to be expanded into the new facility not only for the benefit of LCC but also for the broader downtown Eugene business community.

Ms. Spilde reported that LCC planned to incorporate several elements of its nationally recognized energy management and energy education programs into the new downtown facility. She further maintained that LCC's commitment to energy education would directly benefit the City of Eugene in that it could encourage its graduates from programs such as LCC's Energy Education Institute to continue to live and work in the community.

Ms. Spilde noted that the planned facility for the 10th Avenue and Charnelton Street site had been planned in accordance with the sustainability principles of the triple bottom line assessment. She proceeded to describe for the benefit of the council, the approximate square footage and layout of the new facility as well as how many students were ultimately expected to be served by the new building.

Ms. Spilde reported that a feasibility study commissioned by LCC had demonstrated the need for student housing in the downtown area as part of the new LCC facility.

Ms. Spilde noted that a consulting firm from Portland had been commissioned to conduct the first phase of the new facility's project management.

Ms. Spilde noted that LCC had contracted the firm of Robertson-Sherwood to design and develop the new LCC facility. She further noted that a report from Robertson-Sherwood regarding preliminary design and development considerations was expected to be submitted in March of 2010.

Ms. Spilde briefly discussed the financing that had been assembled for the LCC development project and noted that \$9 million from a recently passed bond measure and \$8 million in State funding had already been committed. She further noted that an additional \$550,000 in federal earmarks had been awarded to LCC's energy programs and that LCC was investigating a number of potential sources for the remainder of the necessary development funding.

Ms. Spilde commented that LCC had investigated the use of federal funds from the American Graduation Initiative and noted that certain LCC board members planned to travel to Washington, D.C. to advocate for that funding.

Ms. Spilde noted that LCC was also investigating the use of the U.S. Treasury Department's new market tax credits to fund the development project. She further noted that additional federal energy tax credits were also being investigated.

Ms. Spilde noted that LCC hoped that the City of Eugene would also provide funding assistance. She described the three-phase timeline for the development project.

Ms. Spilde recognized that the planned LCC development project was very complex but recognized that the project represented an enormous opportunity for the continued growth and prosperity of the downtown community.

Susan Muir noted that LCC's development plans corresponded well with certain aspects of the four downtown improvement strategies that had been adopted by the council earlier in the year. She noted that staff was seeking support for the selection of the LCC development project for the 10th and Charnelton site, direction for staff to enter specific negotiations for the acquisition of the subject property, and direction for staff to return to the council for a final review of the acquisition deal points. She expected that staff would return to council on or around February 22 with further details regarding the development project.

Ms. Susan Muir thanked Ms. Spilde and LCC for their openness and cooperation regarding the development of the 10th and Charnelton site. She looked forward to the continued development of the project.

Ms. Piercy noted her excitement at the prospect of a new downtown LCC facility and hoped that the planning strategies regarding the same could be matched up with a number of concurrent community discussions regarding local economic development.

Ms. Piercy was pleased that a downtown LCC facility that included student housing would result in a much larger number of people continuously living and working in downtown Eugene.

Mr. Clark strongly supported the LCC development project and felt that it would present a number of opportunities for further downtown redevelopment and revitalization. He was also pleased to learn that Robertson-Sherwood had been selected as the principal designer for the project.

Mr. Clark asked how the staff discussions with LCC regarding their development plans had corresponded with the City's plans for a downtown police substation facility and other public safety improvement strategies. Ms. Spilde responded that the preliminary development plans were expected to compliment a variety of public safety improvement strategies including a new downtown police substation.

Mr. Clark asked if LCC representatives had had any preliminary conversations with representatives from the U.S. Department of Veterans Affairs about how LCC's development plans might correspond with the potential development of a downtown Veterans Administration hospital facility. Ms. Spilde responded that while LCC had not had any discussions with local representatives from the Veterans Administration they had been in contact with representatives from the Veterans Administration in Roseburg regarding certain programs that might be expanded concurrent to the development of LCC's new downtown building.

Ms. Solomon asked for further information regarding LCC's plans for its current downtown building. Ms. Spilde replied that LCC planned to vacate the current building once the new one had been completed and that the LCC board was considering a number of potential disposal plans to be discussed with Eugene City staff.

Ms. Spilde, responding to a question from Mr. Pryor, briefly described how student housing might be implemented at the downtown LCC facility. She noted that LCC's plans to incorporate downtown student housing corresponded to a number of significant demographic changes that LCC expected to face over the next several years.

Mr. Pryor was very excited about the effect that increased downtown student residency would have on the downtown area and believed that getting more people to live and work in the downtown area was essential for the continued prosperity of the City.

Ms. Spilde, responding to a question from Mr. Pryor regarding the \$27 million in funding required for the LCC development project, noted that that figure was from an old estimate for the project and did not account for a number of programs and services that had been subsequently planned for the facility.

Ms. Spilde, responding to a question from Ms. Ortiz, noted that property acquisition costs had not been factored into the initial concept for the project since those initial plans had only called for a renovation of the current downtown LCC facility.

Mr. Zelenka was particularly excited about the energy management and education aspects of the proposed LCC development project.

Ms. Muir, responding to a question from Mr. Zelenka, noted that an additional RFP would not necessarily have to be submitted in order for the LCC development project to proceed. City Attorney Glenn Klein concurred with Ms. Muir's statement.

Mr. Brown agreed LCC's development project would be a fabulous project for the downtown area but noted he had a problem with the language of the motion that had been suggested by staff and maintained that it should be revised to expressly postpone directing the Agency Director's negotiation of the purchase and sale agreement until after LCC had completed its feasibility study for the development project. He believed that turning over the negotiation authority to the City Manager prematurely, in that regard, would mean that the council would "lose a large part of our voice" with respect to the property acquisition. He believed further information regarding LCC's feasibility study and the subsequent property acquisition was needed.

Ms. Muir stated that staff's intention with the suggested motion had been to return to the Eugene Urban Renewal Agency (URA) at the end of February with more detailed information regarding the terms of the property acquisition after further negotiation and discussion with LCC representatives. She reminded Mr. Brown that the motion had expressly stated that the Agency Director would return to the URA Board for final approval of the terms of the property acquisition.

Mr. Brown supported the project but believed that more information regarding LCC's offer for the subject property was needed before proceeding.

Ms. Piercy commented on previous negotiations for other downtown property development projects.

Ms. Muir noted that the current level of information and the current process surrounding the City's consideration of the LCC development project was very similar to that which would have been done in an RFP process. She noted that current considerations had placed the City and LCC in a very favorable position to move forward.

Mr. Poling reiterated his support for the LCC development project and noted that LCC remained a very important partner in the community.

Ms. Taylor was concerned about LCC's intention to abandon its current downtown facility but noted that such concerns would be addressed later.

Ms. Taylor asked for more specific information regarding the nature of the resources that LCC hoped the City would provide with respect to their project development plans. Ms. Spilde replied that such resources would likely come in the form of direct financial assistance or indirectly in the form of waived systems development charges or other strategies. She noted that more specific discussion in that regard would take place in the future.

Ms. Taylor indicated she would support a waiver of systems development charges for the LCC development project.

Ms. Taylor voiced her support for community colleges in general and hoped she might have the opportunity to teach at LCC's new facility.

Mr. Clark referred to Mr. Brown's earlier comment and expressed that the suggested motion did not remove the authority of the URA with respect to LCC's development project but rather allowed the Agency Director to more accurately determine the nature of an agreement with LCC in a manner similar to what had been done with previous development processes.

Mr. Zelenka briefly summarized his understanding of how the LCC's development project would proceed according to the language of the motion suggested by staff. He noted that a firm plan for the sale of the subject property would be necessary for LCC to acquire funding for the property acquisition and development of the project.

Ms. Muir responded to Mr. Zelenka's comment and noted that LCC hoped to have the terms of the sale finalized in April of 2010. Ms. Spilde noted that such a plan would allow adequate time for LCC to locate an appropriate architectural firm for the design of the new facility.

Mr. Pryor recognized Mr. Brown's concerns that the authority for the approval of LCC's project development plans might be nebulous if not worded carefully but agreed with Mr. Clark that the motion only granted the Agency Director the authority to investigate and negotiate the terms of the property acquisition. He noted that the authority for final approval of the property acquisition would remain with the URA.

Ms. Spilde noted that the LCC Board had granted her the authority to negotiate with the City of Eugene to acquire the subject property at 10th Avenue and Charnelton Street but added she would still be required to return to the LCC board for final approval of the deal.

Mr. Brown stated that his concerns regarding the language of the motion were not in any way intended to indicate his opposition to LCC's downtown development project.

Ms. Piercy pointed out that LCC's downtown development project had the potential to create a significant number of new jobs in and around the downtown area in addition to the 300 to 400 construction jobs that were expected to be created by the project.

Ms. Medary thanked Ms. Spilde for her presentation and comments and noted it was difficult for her to imagine the City of Eugene without Lane Community College. She noted that she had taken many classes at LCC and felt lucky that the City had such an important and beneficial community partner.

Ms. Ortiz appreciated the community focus that was integral to LCC's downtown development project.

Mr. Clark, seconded by Ms. Taylor, moved to select LCC to redevelop the 10th and Charnelton property as the location for its new downtown education facility and to direct the Agency Director to enter into an exclusive negotiation agreement with LCC for a period of six months, negotiate a purchase and sale agreement, and return to the URA Board for final approval of the terms. The motion passed unanimously, 8:0.

Ms. Piercy adjourned the meeting of the Eugene Urban Renewal Agency and reconvened the work session meeting of the Eugene City Council at 6:38 p.m.

C. WORK SESSION: City Council Goals

Ms. Medary briefly recapped the council's recent goal-setting meetings and noted that they had continued their discussion regarding the Eugene Counts efforts and their annual goal-setting efforts. She reiterated from previous council discussions that they were generally agreed in their commitment to provide clarity and focus as they moved through the goal-setting process.

Ms. Medary stated that staff would be synthesizing the council's goal-setting discussion over the next several weeks in order to return with a set of desired outcomes that best represented the council's objectives in each of the City's five goal areas. She noted that the staff and council discussions regarding the City's five goal areas and the subsequent objectives and strategies would lead to important budget discussions of how funding would best be applied.

Ms. Medary noted items from the council's tentative agenda to be discussed over the next several weeks including the presentation of the results from the Downtown Public Safety Team's "Next Steps" meetings, discussions of downtown projects, and a review of several local transportation issues. Ms. Medary expected that she and City Manager Jon Ruiz would be meeting individually with several of the council members regarding these matters as well.

Mr. Zelenka requested that Ms. Medary and City staff send the council members copies of the data that would be used by staff as they developed their presentations on the council objectives and the "Next Steps" meetings.

Ms. Piercy stated that Mr. Clark intended to pull the Appointment to Lane Regional Air Protection Agency item from the consent calendar during the council's regular meeting later that evening.

Ms. Piercy adjourned the work session meeting at 6:43 p.m.

Respectfully submitted,

Jon Ruiz
City Manager

(Recorded by Wade Hicks)

MINUTES

Eugene City Council
Work Session
McNutt Room – City Hall
777 Pearl Street—Eugene, Oregon

March 10, 2010
12:00 p.m.

COUNCILORS PRESENT: Chris Pryor, Mike Clark, George Brown, Andrea Ortiz, Alan Zelenka, Betty Taylor, George Poling, Jennifer Solomon

Mayor Piercy called the work session meeting of the Eugene City Council to order at 12:00 p.m.

A. WORK SESSION – COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Ms. Piercy noted that Susan Muir was leaving her position with the organization for a position with the City of Mt. Angel. Ms. Piercy thanked Ms. Muir for her many years of service to the City of Eugene.

Ms. Piercy noted that the recent United Front Partners trip had been very successful and had also been attended by representatives from Lane County, the City of Springfield and several other local agencies. She noted that there had been a number of productive discussions particularly with respect to local transit issues.

Ms. Piercy noted that the City had hosted a high speed rail summit on March 9, and thanked Intergovernmental Relations Manager Brenda Wilson and LTD Board member Greg Evans for their efforts to organize that event.

Ms. Piercy reported she had participated in a press conference earlier that morning regarding the U.S. Census and had urged members of the community to complete their census forms. Ms. Piercy noted that the federal census data was important to the federal funding process for various education, transportation and health care areas.

Ms. Taylor noted that she had attended the high speed rail summit and commended the work of Program Coordinator Jessica Mumme who had also helped organize the event. Ms. Taylor further suggested that community members join the Association of Oregon Rail and Transit Advocates (AORTA) and that they also purchase personal automobile license plates since such revenues from those sales helped to fund high speed rail services.

Ms. Taylor corrected earlier comments she had made regarding the Tigard-Tualatin School District. She commented that some community members were unhappy with the current repairs along Crest Drive and had requested a redesign of the remaining work.

Ms. Taylor noted she had attended the recent Lane Workforce Partnership Board meeting and noted that they had been doing excellent work to increase employment opportunities in the area.

Ms. Ortiz noted she had recently spoken twice at Lane Community College's volunteerism class. She commented on recent efforts to sign up children for the Oregon Health Plan.

Ms. Ortiz noted that a town hall event was scheduled for the weekend of March 13, 2010, at Willamette High School with State Representatives Val Hoyle and Nancy Nathanson, and State Senator Chris Edwards.

Ms. Ortiz reported she had attended a recent NAACP dinner with Ms. Piercy and Councilor Taylor. She noted her attendance at a recent joint elected officials meeting in Springfield and appreciated the opportunity to speak with other elected officials from the region.

Ms. Ortiz planned to meet with Police Chief Pete Kerns and representatives of the West Eugene Community Organization during the next council break. She stated she had recently attended a Trainsong Neighborhood Association meeting and noted that a new leader for that group had been elected.

Ms. Ortiz reported that both the Trainsong and Bethel neighborhood associations had applied to join the Strategic Neighborhood Assessment and Planning (SNAP) program. She thanked the council members for the support of the resolutions that had been discussed during their meeting on March 8.

Mr. Pryor stated that the recent joint elected officials (JEO) meetings had been very productive particularly with respect to local street repair and improvement efforts. He commended the administrative staff of the JEO member agencies for their efforts.

Mr. Zelenka agreed that the recent JEO meeting had gone very well and appreciated the collaborative efforts of the JEO member agencies.

Mr. Zelenka noted a Fairmount Neighborhood Association meeting scheduled for March 10 to discuss the University of Oregon's new basketball arena and associated parking plans. He noted that University President Richard Lariviere was expected to attend that meeting.

Mr. Zelenka stated that the next meeting of the Central Lane MPO Metropolitan Policy Committee (MPC) was scheduled for March 11 and would include a public hearing on STP-U funding and the Lane County area committee on transportation (ACT).

Mr. Zelenka noted he had participated in recent fundraising events for the Birth to Three and Friends of Hendricks Park groups.

Ms. Solomon thanked Mr. Pryor for his comments regarding the productivity of the recent JEO meetings and their positive effect on local transportation matters.

Ms. Solomon appreciated the Eugene Police Department's (EPD) recent efforts to share their various commendation efforts with the council and the public.

Mr. Brown noted he had attended a recent meeting of the Jefferson Westside Neighbors association and noted that it had been attended by representatives from the Save Civic Stadium group. He noted his suggestion during that meeting that a levy might be used to purchase the Civic Stadium property.

Mr. Clark thanked Ms. Muir for her service to the community and wished her well in her new position with the City of Mt. Angel.

Mr. Clark reported he had attended a meeting of the Beltline Steering Committee with Ms. Ortiz and noted that that group had continued its work to investigate various ways to address problems on the Beltline between River Road and the Delta Highway intersection.

Mr. Clark appreciated the discussions from the recent JEO meeting and believed that the format of those meetings had been particularly helpful towards addressing a number of important regional economic issues.

Mr. Clark reminded those present that the Eugene Police Commission was scheduled to meet on March 11 to review their final taser policy recommendations before forwarding them to EPD Chief Pete Kerns.

Mr. Ruiz noted he had also attended the recent high speed rail summit and thanked Ms. Wilson and Ms. Mumme for their efforts to help organize that event.

Mr. Ruiz reminded the council that plans for the Envision Eugene meetings and related ECLA discussions were being finalized and encouraged the council members to suggest items for discussion at the Envision Eugene process sessions.

Mr. Ruiz noted that Community Services Manager Richie Weinman would welcome the council's participation in the upcoming Project Homeless Connect event and encouraged them to do so.

Mr. Ruiz thanked Ms. Muir for her service to the community and stated that her transition to the City of Mt. Angel reflected positively on Eugene as a municipal organization.

Mr. Ruiz noted that Becky Carlson planned to retire in March and thanked her for her service to the community. He further noted that Ms. Carlson had served as an important part of the City's solid financial history. Mr. Zelenka added that Ms. Carlson had also been extremely helpful on local transportation issues.

Ms. Piercy commended Ms. Carlson for her years of service to the community.

Ms. Piercy noted that ODOT's recent purchase of two new Talgo trains represented an important step forward in the development of local high speed rail transportation.

Ms. Piercy responded to Ms. Taylor's previous comments regarding Crest Drive and noted that City Engineer Mark Schoening had provided an official response to various community concerns that had been raised regarding those street repairs.

Ms. Piercy thanked Representatives Nancy Nathanson, Terry Beyer and Phil Barnhardt for their participation in the high speed rail summit and appreciated the power that they had brought to those discussions. She referred to Mr. Clark's previous comments regarding the Beltline Steering Committee and suggested that the council needed an update from that group.

Ms. Piercy commented on recent planning efforts regarding the upcoming Project Homeless Connect event.

Ms. Taylor noted that Mr. Schoening and the street assessment committee had done a great job coming to agreement on several important items.

Mr. Clark, seconded by Ms. Taylor, moved to allocate \$3,500 from the City Council contingency fund to support the Human Rights Community Summit on April 10, 2010, and request a post-summit report with highlights and budget information.

Ms. Solomon supported the motion but noted her frustration that it had been raised at the last minute.

Mr. Ruiz, responding to a question from Mr. Brown, noted that there was approximately \$62,000 remaining in the council's contingency fund. He further noted that approximately \$28,000 of the fund had recently been spent on downtown public safety efforts.

Mr. Brown asked how the council contingency fund was replenished each year. Mr. Ruiz answered that the fund had been reduced in the previous year due to budget constraints.

Ms. Taylor expressed her support for the motion and hoped that the council would continue to consider how the contingency fund would be used to fund important local causes in the future.

Ms. Ortiz noted that the Human Rights Community Summit corresponded well with the council's goals regarding racial issues in the community and felt that the motion reflected an appropriate use of the contingency fund.

Mr. Clark noted that the Human Rights Community Summit had been planned in conjunction with the work of the City's Police Commission and had been highly supported by the community.

Ms. Piercy called for a vote on Mr. Clark's previously stated motion. The motion passed unanimously, 7:0

Mr. Clark, seconded by Ms. Taylor, moved that the City send a letter to the Oregon Transportation Commission supporting the request to designate the Beltline Highway in honor of Randall C. Papé.

Ms. Piercy recognized that the motion as stated had come at the request of Governor Ted Kulongoski.

Ms. Piercy called for a vote on Mr. Clark's previously stated motion. The motion passed unanimously, 7:0.

Ms. Piercy adjourned the work session meeting of the Eugene City Council and convened the meeting of the Eugene Urban Renewal Agency (EURA) at 12:27 p.m.

B. WORK SESSION: Lane Community College Downtown Project

Mr. Ruiz commented on the City's recent efforts to coordinate with LCC and President Mary Spilde on the downtown development for the 10th Avenue and Charnelton Street site.

Urban Services Manager Denny Braud briefed the council on how the LCC downtown development process had gone forward since January. He stated that LCC had requested, and City staff had subsequently recommended, that the 10th and Charnelton property be transferred to LCC at no cost. He expressed that a no-cost property acquisition would make it much easier for LCC to break ground on the project although it would not eliminate the \$8 million budget deficit that LCC needed to fill to proceed with development.

Mr. Braud briefed the council on various additional barriers to the development project that had been identified and which was currently being addressed by LCC and City staff. He stated that one of the barriers to development concerned the ultimate fate of the current downtown LCC facility on Willamette Street. He noted that LCC would have no real use for the facility after the completion of the 10th and Charnelton project and that it was very important to capture the real value of LCC's Willamette Street building, now, so that proceeds from the sale could be incorporated into the funding for the downtown development project.

Mr. Braud noted from the agenda item summary memorandum to council that staff had recommended that the City commit to the purchase of the LCC Willamette Street property for its appraised value of \$1.2 million with the caveat that the purchase price would be included in the \$8 million in funding assistance provided by a proposed amendment to the City's downtown urban renewal plan.

Mr. Braud stated that if LCC were not ultimately to move forward with development of the 10th and Charnelton site within a mutually agreed time period, the City and the EURA's commitment to purchase the property would be removed.

Mr. Braud reported that staff continued its efforts to help LCC complete a feasibility analysis with various consulting firms regarding the downtown development project and that the results of that analysis were expected to be presented to the LCC Board on March 16, with a subsequent report to be made available to the Eugene City Council.

Mr. Braud outlined the staff recommendation to the EURA for it to approve the sale of the 10th and Charnelton site to LCC at no cost (or \$1.00) and to commit to the purchase of LCC's Willamette Street building for the purchase price of \$1.2 million included as part of the proposed \$8 million in the urban renewal plan amendment.

Ms. Ortiz supported the staff recommendation and concurred with staff's assessment that their recommended course of action was necessary to ensure the ultimate development of the 10th and Charnelton project. Ms. Ortiz wondered if it might be better for LCC to put the Willamette Street building up for sale on the open market.

Mr. Ruiz responded to Ms. Ortiz's comment and expressed that current real estate market conditions might make it prohibitively difficult for LCC to sell its Willamette Street property outright.

Ms. Piercy understood the reluctance to the staff recommendation regarding the purchase of the Willamette Street building, but noted that there were certain timing issues to be considered that could ultimately affect the viability of LCC's plans to develop the 10th and Charnelton site.

Ms. Piercy perceived LCC's request and the resultant staff recommendation as part of public partnership efforts to improve level of educational opportunity and economic development in the downtown area.

Mr. Clark voiced his support for LCC's downtown development project, but noted his concern about the City "acquiring property when we should be divesting ourselves of it." Mr. Clark stated he was uncomfortable with the City "getting further into the development business" with respect to LCC's Willamette Street building and the City's current surplus properties.

Mr. Clark noted his discomfort with the \$1.2 million purchase price for LCC's current Willamette Street facility. He believed that the actual value of the property was subject to interpretation and that it would be unwise for the City to enter into a purchase agreement for that amount. Mr. Clark noted he planned to offer an amendment to the staff recommended motion to specify that the purchase for LCC's Willamette Street building be "no more than" the \$1.2 million appraised value and to further allow for renegotiation of the final sale price.

Mr. Brown supported the first part of the staff motion to provide the 10th and Charnelton site to LCC at no cost, but believed that the City should not purchase LCC's current Willamette Street property. He believed that the property represented a toxic asset for which it would be extremely difficult for the City to recoup its acquisition costs. Mr. Brown expressed that it would be foolhardy for the City to purchase LCC's current downtown property and believed that no one would be willing to pay \$1.2 million for the property in the future.

Ms. Taylor agreed with Mr. Brown's comments regarding the City's potential purchase of LCC's Willamette Street property. She believed that the City did not need to own another empty building in the downtown area. Ms. Taylor noted she had made a motion at the council meeting on March 8 for the City Manager to consider other sources for funding assistance to LCC.

Mr. Klein, responding to a question from Ms. Taylor, stated that until the urban renewal plan amendment was approved, a referendum by voters might preclude the \$8 million in funding assistance for LCC's downtown project although such a referendum in and of itself could not be used to terminate the project.

Mr. Braud recognized the prevalent assumption that LCC would not proceed in earnest on their downtown development project without the site control and property disposition that was to be provided through the City's funding assistance from the urban renewal plan amendment.

Ms. Piercy reminded those present that the \$1.2 million for the purchase of LCC's current Willamette Street facility was part of the \$8 million funding assistance from the urban renewal plan amendment and was not additional to that overall amount.

Ms. Solomon stated she had previously been led to believe that LCC had planned to retain the Willamette Street property and had been very surprised to learn of LCC's intention to divest itself of the property. Ms. Solomon further believed that there would be no City funds available beyond the \$1.2 million purchase price to develop the Willamette Street property into a usable facility.

Ms. Solomon believed that more information was needed regarding the City's plans for the Willamette Street property should it eventually be purchased.

Ms. Solomon disagreed with Ms. Piercy's assessment of the City's negotiations and urban renewal discussions with LCC as a public partnership and alternatively stated that the purpose of urban renewal was to increase the amount of private and taxable entities in the downtown area. Additionally, Ms. Solomon noted that LCC was a public agency that would be exempt from paying taxes on its downtown facility.

Ms. Solomon pointed out that LCC's current downtown facility on Willamette Street still used steam heat and that the City might be saddled with the responsibility of converting such a system in the near future should the property be purchased in the manner that had been suggested.

Mr. Braud responded to Ms. Solomon's comments and noted that there was a certain amount of due diligence still to be performed on the part of both LCC and the City of Eugene. He noted that many elements of the due diligence process would concern the continued viability of LCC's current Willamette Street property.

Mr. Zelenka believed that in the absence of the LCC downtown project, the 10th and Charnelton site would not be developed by any agency for the foreseeable future.

Mr. Zelenka noted that any private agency that might have developed the 10th and Charnelton site would inevitably have attempted to utilize a multi-use property tax exemption (MUPTE).

Mr. Zelenka confirmed that the first part of the staff-recommended motion, which specified the sale of the 10th and Charnelton site, contained a repurchase option for the City to reacquire the property should LCC ever choose not to move forward with their project.

Mr. Klein, responding to a question from Mr. Zelenka, noted that in terms of the project's financing elements, the EURA's approval of the staff recommended motion would direct the City Manager to negotiate the property transaction agreement although the City Manager could not actually execute the purchase without the approval of a supplemental budget by the EURA. Mr. Klein further noted that the actual property transaction agreements would contain a provision that the City had no obligation to purchase the Willamette Street property unless the EURA approved the supplemental budget.

Mr. Zelenka maintained that in essentially providing LCC with \$8 million worth of funding assistance for their downtown development project he would rather that the City come out of the process with a useable or saleable property as opposed to nothing at all. He noted that he would rather have the City acquire the building and sell it to a private developer for almost nothing rather than have the property remain with LCC where it would continue to function as a non-taxable property.

Mr. Pryor sensed a certain amount of nervousness from those present regarding the potential sale and acquisition of LCC's current downtown facility on Willamette Street. He suggested that the council might split the staff-recommended motion so that the two elements of the City's sale of the 10th and Charnelton site and the purchase of the Willamette Street property might be voted upon separately.

Mr. Pryor believed it was important to pass the first part of the staff-recommended motion in order to provide LCC with the site control it needed in order to proceed with the next phases of the development project.

Mr. Braud, responding to a question from Ms. Piercy, clarified that the LCC was primarily seeking site control of the 10th and Charnelton site and a level of certainty regarding the future of the Willamette Street property that would allow LCC to move forward with its development plans.

Mr. Braud noted that several of Mr. Brown's concerns regarding the real value of the Willamette Street property had also been voiced by members of the LCC Board.

Ms. Piercy noted her confusion regarding the potential sale of the Willamette Street property since the City of Eugene had already indicated a willingness to provide the \$8 million in funding assistance that LCC needed to move forward.

Mr. Ruiz responded to Ms. Piercy's confusion and agreed that the City generally did not want to be in the property development business in the downtown area as part of its urban renewal strategies. Mr. Ruiz maintained that the City of Eugene ultimately had a greater ability to carry the Willamette Street property asset for a longer period of time and with less adverse financial effect than LCC.

Mr. Braud, responding to a question from Mr. Brown, noted that if the City did indeed purchase the Willamette Street property, LCC would remain in the building at no cost through the construction of the 10th and Charnelton facility, but would also continue to pay the utility and operating costs for the building for as long as they occupied it. Mr. Braud further noted that the specific terms of LCC's continued occupation of the Willamette Street property remained to be negotiated.

Mr. Brown believed that the City's acquisition of the Willamette Street property and LCC's occupancy plans were a "terrible idea" and an improper use of urban renewal funds.

Mr. Poling joined the meeting at 12:59 p.m.

Mr. Ruiz believed that LCC would not proceed without the City's purchase of their Willamette Street property and that such a transaction would enable the City to demonstrate tangible support of the LCC development project while providing the City with an opportunity to invest in the council's ideals of a thriving downtown community.

Mr. Brown continued to advocate against the City's purchase of LCC's Willamette Street property.

Mr. Poling supported LCC's development project for the 10th and Charnelton site, but noted he had reservations regarding the City's proposed purchase of LCC's Willamette Street property. He believed that the City needed to "start getting out of the real estate business," and indicated he would most likely vote against the purchase should the proposed motion be split.

Mr. Clark expressed that if purchased by the City as part of its \$8 million in funding assistance to LCC, the Willamette Street property would represent a "\$1.2 million albatross." He noted there were still several serious issues with regard to the steam conversion capabilities of the Willamette Street property that needed to be explored.

Mr. Clark stated that the council needed to move forward with the 10th and Charnelton property acquisition to LCC, but that further information was needed before the City could proceed with any plans to purchase LCC's Willamette Street property.

Mr. Klein, responding to a question from Mr. Clark, noted that the staff-recommended motion provided for the City Manager or Agency Director to return with a supplemental budget regarding the purchase of the Willamette Street property for the council to approve.

Mr. Klein noted that the specific terms and conditions of the purchase agreement had been outlined in Attachment C of the EURA agenda item summary materials.

Mr. Clark, seconded by Ms. Taylor, moved to authorize the Agency Director to enter into an agreement with LCC consistent with the terms and conditions included in Revised Attachment C, March 10, 2010, to sell the 10th and Charnelton property to Lane Community College at no cost or for \$1.00.

Ms. Piercy commented on her understanding that the sale of the 10th and Charnelton property and the purchase of the Willamette Street property had been incorporated into the same motion because it was believed that both elements were required for LCC's development project to proceed.

Ms. Piercy recognized the council's concern about the viability of the Willamette Street property as legitimate.

Mr. Ruiz understood that the council was committed to increasing the cap on the City's urban renewal district by \$8 million in order to provide LCC with the necessary funding assistance for their development plans.

Mr. Clark clarified his previously stated motion and noted his reference to "the terms and conditions included in Revised Attachment C" referred only to those portions of Attachment C that pertained to the sale of the 10th and Charnelton site.

Mr. Zelenka stated it was entirely premature to refer to the Willamette Street property as a "toxic asset" or an "albatross" before performing the due diligence outlined in Attachment C. He further noted that the ultimate viability and usefulness of the Willamette Street property had not yet been definitively established.

Mr. Zelenka commented that the terms and conditions listed in Attachment C basically represented an option to purchase the Willamette Street property rather than the purchase itself. He believed that the terms described in Attachment C would enable the City to learn more about the Willamette Street property so that the council might make a reasonably informed decision.

Ms. Piercy called for a vote on Mr. Clark's previously stated motion. The motion passed unanimously, 8:0.

Mr. Clark, seconded by Ms. Taylor moved to direct the City Manager to return to the council as soon as possible with a complete report on Lane Community College's proposed sale of its Willamette Street property to the City of Eugene.

Mr. Ruiz, responding to a question from Ms. Piercy, stated he did not know for certain if the proposed motion might put any elements of LCC's downtown development plans in jeopardy

Ms. Solomon appreciated that the stated motion would provide for longer, more informed discussions regarding the viability of the Willamette Street building as a City property. She further noted that additional independent appraisals of the Willamette Street building were needed in addition to more detailed information on the City's possible plans for the property.

Mr. Ruiz referred to Ms. Solomon's comment and noted that such information would be made available if the previously stated motion was passed.

Mr. Braud stated that the appraised value of \$1.2 million for LCC's Willamette Street property had been provided by the independent firm of Duncan & Brown.

Ms. Ortiz noted her concern regarding certain elements of the proposed sale of the Willamette Street property and how such a purchase might ultimately affect LCC's debt ratio.

Mr. Clark commented that he did not understand how the City's refusal to purchase the Willamette Street property might cause LCC to delay or revise its downtown development plans. Mr. Braud noted that LCC had no more desire to be in the real estate business than the City of Eugene and that LCC ultimately did not want to be stuck with the Willamette Street property as they moved forward with development at 10th and Charnelton.

Mr. Clark hoped that a more detailed plan regarding the future use of the Willamette Street building might be developed before the purchase of the building moved forward. Mr. Clark expressly stated he did not want the City to end up with another pit or vacant building in the downtown area. Mr. Ruiz responded that more detailed plans regarding the viability of the Willamette Street building would indeed be generated as part of the City's due diligence upon passage of the previously stated motion.

Mr. Pryor was encouraged by the level of public discussion surrounding the LCC downtown development project and was confident that a mutually beneficial solution could be achieved.

Ms. Taylor indicated she would not support the motion.

Mr. Brown advocated against the City purchase of the Willamette Street property unless an interested buyer was immediately available.

Ms. Piercy clarified the motion under discussion and noted that it only directed to the City Manager to collect information and generate a report to be used for further council discussions regarding the potential sale of the Willamette Street property.

Ms. Piercy called for a vote on the previously stated motion. The motion passed, 7:1 (Ms. Taylor voting in opposition).

Mr. Poling noted that the Travel Lane County Center had recently opened in the Gateway area in Springfield and that the grand opening festivities for the center had been very well attended.

Ms. Piercy noted for Mr. Poling's benefit that the council had earlier in the meeting passed a motion to send a letter to the Oregon Transportation Commission supporting the request to designate the Beltline Highway in honor of Randall C. Papé.

Ms. Piercy adjourned the meeting at 1:21 p.m.

Respectfully submitted,

Jon Ruiz
City Manager

(Recorded by Wade Hicks)

MINUTES

Eugene City Council
 McNutt Room—City Hall—777 Pearl Street
 Eugene, Oregon

April 21, 2010
 5:30 p.m.

COUNCILORS PRESENT: Mike Clark, Betty Taylor, Chris Pryor, George Poling, George Brown, Alan Zelenka, Andrea Ortiz, Jennifer Solomon.

Her Honor Mayor Kitty Piercy called the work session of the Eugene City Council to order.

**A. WORK SESSION:
 Resolution 5004 Concerning the Eugene Comprehensive Lands Assessment Project's 20-Year
 Need Determination**

Planning Director Lisa Gardner provided an overview of the Eugene Comprehensive Lands Assessment (ECLA) process. She recognized members of the ECLA Community Advisory Committee (CAC) for their work on the project and introduced Jason Dedrick, Planning and Development Department, to present the results of the ECLA process.

Mr. Dedrick distributed a document entitled *Eugene Comprehensive Lands Assessment – Community Advisory Committee Concluding Statement, April 13, 2010*. He used a slide presented to outline the work of the CAC, which was convened to vet the information produced by ECLA and provide a recommendation on the final results. He said the CAC, by consensus, accepted the results of ECLA for use in the Envision Eugene process. He reviewed the CAC's specific findings, discussion items and recommendations contained in the document that was distributed. He said the CAC particularly wanted the following key policy issues carried forward into Envision Eugene:

- Nodal development
- Plan designations
- Wetlands
- Market trends
- Housing affordability

Mr. Dedrick said small groups were formed to address outstanding issues and the consensus statements and recommendations from those groups were included in the agenda packet. He said the only significant change to data presented in December 2009, related to park land need that resulted from a change in the methodology for calculating that need. He said rather than basing the need on the Parks, Recreation and Open Space Plan (PROS), it seemed more appropriate to base park land need on the Project and Priority Plan. He said any additional protection of drainage-ways and the 25-year floodplain were factors that could impact land need in the future.

Continuing, Mr. Dedrick pointed out that the table of assumptions for ECLA remained virtually unchanged from the one presented in December 2009, with the exception of parks. He summarized the key land needs, based on the population forecast of 34,000 new people by 2031:

- 15,000 new dwelling units
- 4,800 new dwelling units need land in excess of supply
 - Low density – 1,244 acres
 - Medium density – 72 acres
 - High density – 94 acres
- Commercial land – 388 acres
- Industrial land – 0 acres

Mr. Dedrick explained that while there was no shortage of industrial land, the majority of that land was in small parcels. Envision Eugene would need to consider the regional economic development plan and site needs of specific industries that would be targeted in the future and that could impact the industrial land need determination.

Mr. Clark asked what unemployment rate was assumed in the projection of 32,000. Mr. Dedrick said the projection was based on the employment forecast and unemployment was factored in by recognizing that some of those jobs would be located in current structures to fill vacancies created by jobs that were lost.

Mr. Clark felt the projection should take the opposite approach and assume that more space was needed to accommodate new jobs that were needed to lower the unemployment rate. Regarding park land, he asked if the City had an acknowledged refinement plan for parks. Mr. Dedrick replied that the Department of Land Conservation and Development (DLCDD) had indicated it was appropriate to use the PROS or Project and Priority plan as the basis to establish park land need. He said one of the small groups had suggested the City examine whether it needed a more formally adopted parks plan. City Attorney Emily Jerome said the need for a parks refinement plan was an element of the Metro Plan update adopted by the City Council in 2004; the requirement for the plan was self-imposed, not required by the State. She said the data being used to determine park land need was very reliable and she did not feel a parks refinement plan was necessary.

Mr. Clark stated that the primary purpose of incorporating the stormwater manual in the Eugene Code during the minor code amendment process (MICAP) was to define drainage-ways and protect them from development. He was concerned that the CAC's recommendations indicated the drainage-ways were developable. Mr. Dedrick said Public Works had not yet completed the process of defining drainage-ways, mapping them and setting forth specific protections. He said when that work was completed, whether during Envision Eugene or after, the City would have to make findings regarding impact on the land supply and if the land was determined to be unbuildable it would be removed from the buildable lands inventory.

Ms. Piercy asked if ECLA had accounted for out-migration and a shift to higher density living as the population aged. Mr. Dedrick said the Portland State University population forecast for Lane County took into account a multitude of demographic factors, including in-migration and out-migration. He said the CAC also discussed density and housing choices and whether it was a moment in time when demographics, housing needs and environmental concerns were shifting housing trends, but it was difficult to speculate on a specific outcome. Envision Eugene would consider community housing and density preferences as part of ways to meet the land need.

Ms. Piercy said questions had been raised about the location of industrial land and whether changes in land designations were necessary. Mr. Dedrick agreed that one approach to looking at land need was to examine the current land designations, particularly commercial and industrial land.

Mr. Pryor appreciated the baseline figures that would be moved forward to inform Envision Eugene. He recalled the neighborhood character discussions that affirmed envisioning the community related to more than just an acreage count. He was encouraged with ECLA as an incremental step toward the envisioning process.

In response to a question from Mr. Zelenka, Mr. Dedrick said the base employment forecast was adjusted downward to account for jobs lost in the community.

Mr. Zelenka said it was appropriate for Envision Eugene to take a "reduce, reuse and recycle" approach to land in the community.

Ms. Taylor asked if the current growth management policies would be replaced as a result of Envision Eugene. Ms. Gardner said there would be an opportunity to add new policies that addressed land use efficiencies. Mr. Ruiz assured the council there was no intent to change current growth management policies, only consider whether new policies were needed to avoid the need to expand the urban growth boundary (UGB).

Ms. Taylor asked if ECLA had considered the trend toward telecommuting. She also commented that vacant and underutilized commercial land existed throughout the community. Mr. Dedrick said telecommuting was factored into ECLA assumptions regarding land need. He said there were 98 acres of vacant commercial land, primarily in smaller parcels; ECLA did not extensively analyze the issue of underutilized commercial land as that was a somewhat subjective assessment, but allowed for some redevelopment of currently developed commercial land.

Ms. Taylor preferred the corrected motion, which removed the word "basis" and simply indicated ECLA data would be used in the Envision Eugene process. She noted a similar language change was needed in the ordinance.

Ms. Ortiz asked if ECLA had considered the 360 acres of the railroad yard. Mr. Dedrick said that land had been an early consideration, but the railroad had been unable to give any type of assurance that the land would be available during the 20-year planning period. The land was currently listed as committed to another use and unavailable for development.

Mr. Clark said the CAC's drainage-way findings indicated that the results of Public Works tasks would be taken into account if and when they were available, but that meant if the work was not completed the inability to build on those lands would never be considered. Ms. Jerome replied that any land use action had to include findings. If land in the inventory was rendered unbuildable by the regulations Public Work developed, that would be deducted from the land supply. She said any land removed from the buildable lands inventory had to be replaced under State law.

Mr. Clark disagreed with the CAC's findings related to transportation, specifically the second recommendation under Item 7, Traffic Impact Analysis/Transportation Planning Rule. He said an assessment of Beltline by the Oregon Department of Transportation (ODOT) two years ago, indicated that it was a failing facility in terms of its capacity. He questioned how vacant property in North Eugene could be

developed when there was no ability to increase transportation capacity. Mr. Dedrick replied that transportation was a complex issue and a moving target. He said the CAC created a map of all the areas that were potentially transportation-limited and examined the developable land in those areas; the product was that there were not many developable acres remaining in those areas. He acknowledged that development could occur in close proximity and any change in plan designations or expansion of the UGB would require specific findings that assure the necessary transportation infrastructure would be in place at some point during the 20-year period.

Mr. Zelenka remarked that he hoped to see a plan that was flexible and included triggers for periodic reviews and possible updates. Regarding the issues that were being forwarded to the Envision Eugene process, he asked how much could reasonably be accomplished during the established timeframe.

Mr. Pryor concurred that the plan should be as flexible as possible, but asked how that flexibility could be assured if the plan had to contain specific numbers. Mr. Dedrick replied that the State's numbers afforded jurisdictions flexibility through the periodic review process that allowed the community to review its progress and determine consistency with its buildable land study.

Mr. Clark commented that in the past, 14 years had elapsed between the City's periodic reviews, and asked if the State would now compel those reviews to occur every seven years. He asked where within the City's organization, responsibility for completing reviews resided. Ms. Jerome said State law and administrative rules established a schedule for periodic review, but DLCD did not necessarily require jurisdictions to follow that schedule. She said the City could determine its own schedule. Mr. Ruiz added that the City Manager had ultimate responsibility for assuring the City's compliance, but the Planning and Development Department was responsibility for the review process.

Mr. Clark disagreed that the City had the transportation capacity to develop the lands it identified as redevelopable and vacant. Mr. Dedrick said the ECLA process took a high level view of the scope of transportation issues and how they might inhibit development; it did not allow a close examination of every potentially developable parcel and speculate on what use might occur. He said ECLA provided the best estimate of achievable density within the time and cost constraints of the process.

Mr. Clark said his purpose in raising issues at this point was to clarify assumption and avoid future disputes after a plan was adopted.

Mr. Zelenka asked for a list of the issues that would be addressed within the February timeframe and the level of examination that would be possible. He said if the council disagreed with staff's assessment of the scope of work it could provide additional direction.

Ms. Ortiz said she did not assume that the City's growth would be in a particular direction and understood the process was to determine what would be the natural pattern of growth.

Mr. Clark, seconded by Ms. Taylor, moved to adopt Resolution 5004 that accepts the Eugene Comprehensive Lands Assessment Executive Summary and directs City staff to use the estimates and data documented in that Executive Summary in the Envision Eugene Project.

Mr. Clark clarified that he did not assume a particular growth pattern; his concern was the addition of 15,000 new dwelling units. He wanted to assure that there were certain protections afforded during the

Envision Eugene process, such as to the Santa Clara drainage-ways. He intended to propose an amendment that included the CAC's specific recommendations, along with the basic assumption, in the Envision Eugene process.

Mr. Clark, seconded by Ms. Taylor, moved to amend the motion to include in the Envision Eugene process the Community Advisory Committee's recommendations as set forth in Attachment B to the Agenda Item Summary. The motion passed unanimously, 8:0.

Ms. Taylor, seconded by Mr. Clark, moved to strike the words "as a basis for its work" from Section 1 of Resolution 5004. The motion passed, 8:0.

The main motion as amended passed, 8:0.

The meeting adjourned at 1:10 p.m.

Respectfully submitted,

Jon Ruiz
City Manager

(Recorded by Lynn Taylor)

MINUTES

Eugene City Council
McNutt Room—City Hall—777 Pearl Street
Eugene, Oregon

April 26, 2010
5:30 p.m.

COUNCILORS PRESENT: Mike Clark, Betty Taylor, Chris Pryor, George Poling, George Brown, Alan Zelenka.

COUNCILORS ABSENT: Andrea Ortiz, Jennifer Solomon.

Her Honor Mayor Kitty Piercy called the work session of the Eugene City Council to order.

A. BRIEFING:
Quarterly Briefing to City Council from Police Auditor

Police Auditor Mark Gissiner provided an update on operational issues within the auditor's office. He had been seeking clarity on public records laws with regard to public safety employees. The Civilian Review Board (CRB) had written to the Oregon Attorney General John Kroger asking for his opinion on that issue and Mr. Kroger had replied that his office could not become involved and the matter should be decided at the local level. He said he and the CRB would work with the City Attorney to develop guidelines and procedures.

Mr. Gissiner had hoped to provide an annual report to the council but templates for statistical data were not in place and staff was reviewing case files and compiling data. He felt the model for addressing basic customer service complaints was dysfunctional and he was investigating a better approach for responding expeditiously to reports that did not need to be processed through the current police auditor system. He hoped to develop a rapid response customer service model that would provide residents with feedback in a day or two instead of two to three weeks.

Mr. Gissiner described some of the trends he saw in the emerging data. He would analyze the data for more details once it was compiled and expected to provide the council with a report fairly soon. He was continuing with community outreach efforts and the groups he spoke to were very receptive to the information. He hoped that the auditor's office would be eight to nine percent under budget at the end of the year and said it had not been necessary to issue any contracts for specialized service. He attended a Police Executive Research Forum (PERF) conference in Philadelphia and it was very informative; learning from the experiences of other communities was of great value. He concluded his comments by noting that the number of complaints remained at the same level as in 2008 and 2009. He also mentioned that a complaint related to a high profile issue had been dismissed on the basis of timeliness.

Mr. Brown expressed disappointment in the Attorney General's response to the CRB. He observed that it did not appear providing legal advice was one of the Attorney General's duties. He hoped that local stakeholders would be able to develop appropriate procedures for maximum transparency of the system. He asked if information from the PERF conference was available online. Mr. Gissiner said that much of the information was presented during panel discussions. He would check on availability of the materials.

Mr. Zelenka indicated he also was surprised by the Attorney General's response. He asked if the CRB had requested legal advice from the City Attorney. Mr. Gissiner said he had that discussion with the City Attorney and for him it was a matter of who made the decision about whether a matter was of significant public interest. He said neither the Attorney General nor the District Attorney would make that determination, leaving it to either the CRB or the Police Auditor. He found it odd that such a determination of State law was left to the local governing body.

Mr. Zelenka asked if there was a role for the City Council in that process. Mr. Gissiner said the law delegated that decision to the CRB in matters related to its area of jurisdiction. He intended to work with the City Attorney and Police Department to develop procedures that were aligned with the City's ordinance.

City Manager Jon Ruiz commented that the subject of personnel records was a complex issue and the City Attorney, Police Auditor and Police Chief were engaged in discussions that he hoped would result in a common agreement on how those records were handled.

Mr. Poling cited the letter from the Attorney General and pointed out that Mr. Kroger had not indicated he was unwilling to assist the CRB; he was prohibited from doing so by State law. He asked if developing a separate rapid response process for some customer service complaints would require a change to the City Charter. He was concerned that any change to the police auditor system could result in a community backlash. Mr. Gissiner said he did not think a change to the charter would be required; it would simply establish a speedier operational process for handling certain types of complaints. It was his intent to establish a central coordinating point for processing customer service complaints instead of routing them to different supervisors for response.

Ms. Piercy agreed with the need to quickly respond to customer service complaints.

B. WORK SESSION: Council Goals

Mr. Ruiz said the goal of the work session was to adopt outcome statements that could be used to develop specific measures and strategies to carry forward to a community dashboard that would engage the public in an ongoing dialogue about the City's performance. He introduced Terrie Monroe, City Manager's Office, to present the information.

Ms. Monroe stated that the council's discussion of goals at an earlier meeting had helped to inform the development of outcomes for each of the council's five goals. She explained that each outcome would have associated strategies and measures to track progress. She said draft measures would be tested with community members to assure they were relevant to the outcome, understandable, and provided the desired information about progress toward the outcome. She expected that proposed strategies and measures would be presented to the council in June 2010. She illustrated how outcomes and measures would be used to create a dashboard on the City website that allowed citizens to monitor the City's performance, access information they found most relevant and provide feedback. She reminded the council of the five issues derived from Eugene Counts that crossed multiple goal areas: downtown, public safety, jobs and economic development, communication between the City and the community and alternative transportation modes. The community survey identified the following as the most important problems facing Eugene: unemployment, downtown issues, homelessness, the economy and crime.

Mr. Ruiz asked the council to indicate whether each of the proposed outcomes was acceptable as stated or suggest modifications to the language.

Goal: Safe Community

- Decreased property crime

- Greater sense of safety (especially downtown)
- Visible and accessible police presence
- Better police/community relations

Ms. Piercy said homelessness was a concern in the community but it was not apparent how it was being addressed by the goals and outcomes. She was concerned that the issue was not more visible as a goal. Ms. Monroe said there was ambivalence about how to include homelessness and people preferred to take some time to determine how that could best be addressed through outcomes.

Mr. Pryor agreed it would be difficult to find the logical place for homelessness as an umbrella issue. He said homelessness was often perceived both as a condition and a behavior. He said behavior aspects related to homelessness might be addressed under the Safe Community goal, while homelessness as a condition might be addressed as part of the underlying well-being of the community under the Sustainable Development goal.

Mr. Zelenka said he also noticed that homelessness was not specifically addressed in outcomes, but agreed that it cut through several goal areas and could be addressed as a safety issue as well as the need for more housing.

Mr. Ruiz suggested that an outcome could be added to Sustainable Development related to the condition of homelessness and the safety aspect could be addressed by a specific strategy under Safe Community.

Mr. Clark concurred with Mr. Ruiz that specific strategies could be developed to address the various aspects of homelessness. He recalled that during the public engagement process homelessness was discussed in two ways: as a condition the City should help ameliorate and behaviors the City should address through public safety measures.

Ms. Piercy determined that there was agreement among councilors to accept the Safe Community outcomes as proposed.

Goal: Sustainable Development

- Increased downtown development
- Decreased unemployment/strategic job creation
- Support for small and local business
- Decision-making that weighs economic, social equity and environmental (triple bottom line) effects

Mr. Pryor suggested substituting “balance” for the word “weighs” in the last outcome to imply a more active approach to using those elements to create a more effective outcome.

Ms. Piercy felt that the intent was to use the triple bottom line lens in decision-making, which suggested more than simply balancing those elements.

Mr. Pryor withdrew his suggestion if the council felt “balance” implied active use of the triple bottom line tool.

Ms. Taylor questioned the inclusion of the outcome related to downtown development. She said the goal related to any type of development. Mr. Ruiz said downtown development would be balanced against other outcomes such as support for small and local business and regional economic development through use of the triple bottom line.

Mr. Zelenka commented that strategies would also define how specific outcomes would be achieved.

Mr. Brown questioned why outcomes only addressed downtown development. He felt that outcome was too specific and excluded development elsewhere in the community.

Ms. Piercy reminded the council that during its goal-setting discussion it was focused on downtown development. Mr. Ruiz added that other development activities would continue to occur; the outcomes were reflective of what the community had identified as priorities.

Mr. Pryor concurred that it was appropriate to identify downtown development as a specific outcome because downtown was the community's common area and emerged as a focus area in the community survey.

Mr. Clark was concerned that the outcome related to job creation was too narrow and related only to the joint elected officials' regional economic development strategy work. He said the outcomes should be viewed from the broader economic perspective of increasing the tax base through use of policy to increase property values. He said higher property values as a tax base would allow the City to afford those things it wished to do on an ongoing basis.

Goal: Accessible and Thriving Culture and Recreation

- Accessible to all incomes
- Preserve strength in arts and outdoors
- Invest in arts and culture as an economic engine

Mr. Clark suggested that the first outcome could include a strategy that allowed greater flexibility for developing undeveloped City-owned park land, including through the use of volunteers.

Mr. Pryor suggested that accessibility should relate to socio-economic status, not just income.

Mr. Poling reflected that the council's conversation about accessibility discussed the affordability of some events, which was why the outcome was related to income.

Ms. Piercy agreed with Mr. Poling's comments that the council's concern related specifically to access to cultural events during difficult economic times.

Mr. Pryor withdrew his suggestion.

Goal: Effective, Accountable Municipal Government

- Transparent and interactive communication
- Public engagement that involves the community broadly
- Stronger partnership between government entities

Ms. Piercy determined there were no comments and the outcomes were accepted as proposed.

Goal: Fair, Stable and Adequate Financial Resources

- A long-term sustainable budget
- New or expanded revenue sources
- Accessible and transparent financial information

Mr. Clark was concerned that the outcome related to new or expanded revenue sources would enshrine the intent to raise taxes in some way. He was agreeable to an outcome of finding sustainable revenue streams, such as increasing property values and thus property tax revenue.

Ms. Taylor commented that the council had established a goal of seeking adequate financial resources many years ago, but nothing had occurred. She said that providing services demanded money and new sources of revenue were needed. She hoped the council would explore some of the revenue sources used by other communities.

Mr. Zelenka found use of the term “sustainable” in the first outcome confusing since it was also used in the Sustainable Development goal. The word had different meanings in those two separate uses.

Mr. Poling commented that the word “sustainable” had very different meanings when applied to the budget or development. He felt the meanings were clear in those contexts.

Mr. Clark asked if seeking new or expanded revenue sources meant raising taxes. Mr. Ruiz replied that the language had emerged from the council’s goals discussion. He did not perceive the outcome to be limited to strategies seeking new taxes or fees; expanded revenue sources could also include increased property values.

Mr. Clark preferred strategies that sought to expand the current base of revenue sources.

Mr. Clark, seconded by Ms. Taylor, moved to approve the set of outcomes as presented.
The motion passed unanimously, 6:0.

Mr. Ruiz asked for two or three councilors to form a subcommittee to work with staff to develop measurements for outcomes.

Ms. Piercy suggested that Mr. Zelenka, Ms. Ortiz and Mr. Solomon serve as the subcommittee.

C. WORK SESSION:

Lane Area Commission on Transportation (LACT) Bylaws

Intergovernmental Relations Manager Brenda Wilson briefly reviewed the formation and purpose of the LACT. She said a forum was established to draft LACT bylaws for presentation to the Lane County Board of Commissioners (BCC) and the BCC requested that each proposed LACT member jurisdiction or entity indicate formal support for the bylaws. She said to date the City of Lowell had taken action to adopt the bylaws, predicated on no subsequent changes to the bylaws; Eugene would be the second jurisdiction to take action. She said the BCC must present the bylaws to the Oregon Transportation Commission (OTC) by October 31, 2010.

Ms. Wilson highlighted the bylaws and reiterated that the LACT would be an advisory body to the OTC, providing a forum for the discussion of regional transportation issues and funding prioritization. She described the voting membership set forth in the bylaws and language that would prevent multiple representations from one voting jurisdiction or entity. She drew the council’s attention to the decision-making approach proposed in the bylaws, which used a consensus model and voting if consensus could not be reached.

Ms. Piercy commented that other ACTs in the State used a one city/one vote structure rather than proportionality. She said all members of the forum agreed with the bylaws. She affirmed that the LACT was an advisory body that would enhance the area’s competitiveness for State funding by speaking with a single voice before the OTC, but jurisdictions would still be proposing the projects to be considered for funding.

In response to a question from Mr. Clark, Ms. Wilson said that the secondary representative from jurisdictions was not required to be an elected official because some entities felt it would be beneficial to have a staff person serve as the alternative LACT representative.

Mr. Clark said he would support the bylaws as presented, but hoped that Eugene's primary and alternate representatives would be elected officials. He asked if the BCC could modify the bylaws after they had been supported by jurisdictions. Ms. Wilson said that was technically possible, but it was doubtful that the BCC would present bylaws to the OTC that were not consistent with those developed and approved by the stakeholder groups on the forum.

Ms. Piercy commented that forum members were very clear that if any changes were made to the bylaws after they were approved by members, the revised version must come back to the forum for consideration.

Mr. Zelenka asked if LACT recommendations for State Transportation Improvement Program (STIP) and *ConnectOregon* funding would supplant recommendations from the Metropolitan Policy Committee (MPC). Ms. Wilson said *ConnectOregon* laws and regulations required that ACTs provided the funding recommendations to the OTC; however, ACTs were directed to work in collaboration with the Metropolitan Planning Organization (MPO) and MPCs to determine regional transportation priorities. She said the LACT would provide an advisory list of STIP priorities to the OTC, but the MPC also provided a list of STIP priorities.

Mr. Zelenka commended the decision-making model to be used. He noted that the list of interests that could be reflected by the citizen members of the LACT was extensive and assumed that there would be no duplication of those interests among citizen representatives. Ms. Wilson said the range of interests would be as broad or as limited as the applications received for membership. It was difficult to speculate about the interests or specialization that would exist until the LACT was established.

Mr. Clark, seconded by Ms. Taylor, moved to support the proposed Bylaws for the Lane Area Commission on Transportation as written. The motion passed unanimously, 6:0.

The meeting adjourned at 7:07 p.m.

Respectfully submitted,

Jon Ruiz
City Manager

(Recorded by Lynn Taylor)