

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of City Council Minutes

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Meeting Date: July 12, 2010  
Department: City Manager's Office  
*www.eugene-or.gov*

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

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### ISSUE STATEMENT

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

### SUGGESTED MOTION

Move to approve the minutes of the June 17, 2010, Meeting of the Joint Elected Officials.

### ATTACHMENTS

A. June 17, 2010, Meeting of the Joint Elected Officials

### FOR MORE INFORMATION

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MINUTES

Joint Elected Officials  
Eugene and Springfield City Councils, Lane Board of County Commissioners  
Bascom-Tykeson—Eugene Public Library  
Eugene, Oregon

June 17, 2010  
Noon

**PRESENT:**

Eugene City Council: Mayor Kitty Piercy, Betty Taylor, George Poling, Andrea Ortiz, Chris Pryor, Alan Zelenka, George Brown, members.

Springfield City Council: Mayor Sid Leiken, Hillary Wylie, Dave Ralston, Christine Lundberg, Terri Leezer, Joe Pishioneri, Fred Simmons, members.

Board of County Commissioners: Bill Fleenor, Peter Sorenson, Faye Stewart, Rob Handy.

**ABSENT:**

Eugene City Council: Jennifer Solomon, member.

Board of County Commissioners: Bill Dwyer, member.

Also present were County Administrator Jeff Spartz, Eugene City Manager Jon Ruiz, Springfield City Manager Gino Grimaldi, Tom Boyatt, Springfield, Lane County Counsel Steven Vorhees, Lane County Planning Director Kent Howe, Lane County Planner Celia Barry, Marsha Miller, Lane County; Kurt Yeiter, Katheryn Brotherton, Mike Sullivan, Lisa Gardner, Beth Forrest, Kris Bloch, City of Eugene; Jamon Kent, Ann Mortenson, Lane Council of Governments.

Mayor Leiken called the meeting of the Springfield City Council to order. Mayor Kitty Piercy called the meeting of the Eugene City Council to order. As Board Chair Bill Fleenor had not yet arrived, Board Vice Chair Rob Handy convened the meeting of the Lane Board of County Commissioners and reviewed the Lane County file numbers for the items under consideration.

**1. PUBLIC HEARING:**

Mayor Piercy opened the public hearing on behalf of Eugene.

Mayor Leiken opened the public hearing on behalf of Springfield.

Mr. Handy opened the public hearing on behalf of Lane County.

Mr. Yeiter provided the staff report. He recalled that in 2007, the Metropolitan Policy Committee (MPC) adopted a new federally required Regional Transportation Plan (RTP), which triggered State transportation planning rules that the area adopt findings of consistency between TransPlan and the RTP, or amend

TransPlan to become consistent with the RTP. The MPC chose to amend TransPlan.

City of Eugene Planner Kurt Yeiter reported that staff presented a multi-year work program to the Land Conservation and Development Commission, which adopted the work plan in 2008. The work plan was attached to the packet as Attachment B.

Mr. Yeiter said one of the first amendments requested was to remove completed projects from the project list so it would better matched the RTP, and to update the planning horizon year to 2027 to reflect the reality of slower growth than anticipated. The ordinance before the elected officials include an amendment to extend the planning horizon, an amendment to amend the project list by removing completed projects, and an amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) so it reflected the same information as TransPlan.

Mr. Yeiter recalled that the Joint Elected Officials (JEO) agreed to open up the process to allow new evidence in the form of the County's coordinated population estimate to be brought into the record. He invited questions, and indicated no action was expected at that time.

Mayor Piercy noted no one had signed up to speak for the public hearing. She solicited questions from the Eugene council.

Mr. Zelenka said the West Eugene Parkway project kept appearing in the document and he was concerned that it was still in TransPlan, particularly since it had been removed from the RTP. He said it made no sense to include it in TransPlan, and had asked if it could be removed in this process as well. However, he had encountered numerous legal hoops in that endeavor. He had learned that the elected officials could amend the description to indicate it had been removed from the RTP and all the funding for construction had been deleted from the Metropolitan Transportation Improvement Program and there was no funding for construction.

There being no objection, Mayor Piercy closed the record and public hearing on behalf of Eugene. Mayor Leiken closed the record and public hearing on behalf of Springfield.

Mr. Handy solicited comments or questions from the Board of County Commissioners. There were none.

Mr. Handy referred to the work plan, and suggested it was the blueprint guiding staff efforts and the decisions of elected officials. He believed that it was clear, but progress toward completing the enumerated tasks was less so. He did not think the staff-provided materials clarified what work plan tasks had been completed, which were partially complete and the percentage completed, what remained to be accomplished, and the timeline for doing so, if different from the stated deadline.

Continuing, Mr. Handy said the Land Conservation and Development Commission (LCDC) conditions associated with the work plan had not been provided to the JEO. There seemed to be no analysis or consideration of actual on-the-ground progress in the packet of proposed TransPlan and Metro Plan amendments, and the area did not seem to be on schedule, according to the work plan.

As an example of the lack of analysis or consideration of on-the-ground progress, Mr. Handy said the amendments failed to speak to what, if any, progress had been made toward benchmarks and the LCDC-approved Alternative Performance Measures as a result of implementation of planned projects and development patterns. Instead, the planning goals identified for 2015 were merely pushed out 12 years to

2027. He said if the projects and development patterns realized over the past 15 years had not gotten the community where it wanted to be, there should be analysis of that.

Mr. Handy said that projects removed from the financially-constrained lists were not accounted for in the bottom line financial constraint of each project's category. He asked why the information provided did not include the adjusted subtotals and totals and the adjustments to the completed project costs that differed from projected project costs. He asked that those differences be accounted for throughout the document.

Mr. Handy asked if by leaving out an analysis of financial constraint for the year 2027, staff was implying that the reasonable expectation for funding for highway, local road, transit, pedestrian, and bike projects through 2027 would be the same as originally expected for the year 2015. If not, why was there no analysis of financial constraint out to the year 2027?

Mr. Handy then spoke to TransPlan, Exhibit A, Ordinance 1272, saying that the only work that appeared to have been done on the TransPlan update was editing, such as changing the plan horizon year from 2015 to 2027, some text revisions to recognize the change to two separate urban growth boundaries, and new text noting consistency between TransPlan and the Regional Transportation Plan (RTP). He questioned how the trends expected for the year 2015, in a plan adopted in 1995, could remain unchanged out to 2027, and asked for the analysis to support that assumption.

Mayor Piercy raised a process question about the fact that Mr. Handy's remarks had occurred following action to close the record by Eugene and Springfield.

Ms. Brotherton said that given the fact the record had been closed by Eugene and Springfield, there would be two separate and different records. Mr. Yeiter suggested the elected officials could proceed with the amendments, and staff could address the questions raised by Mr. Handy in a later phase of the process. Ms. Brotherton said the staff responses to those questions could not be a basis for the elected officials' decision on the ordinance in question.

Mr. Zelenka, seconded by Mr. Brown, moved to reopen the record on behalf of Eugene; the motion passed, 4:3; Mr. Clark, Mr. Poling, and Mr. Pryor voting no.

Ms. Leezer, seconded by Mr. Pishioneri, moved to reopen the record on behalf of Springfield. The motion passed, 4:2; Mr. Ralston and Mr. Simmons voting no.

Continuing, Mr. Handy spoke to the Department of Land Conservation and Development-approved (DLCD) Alternative Performance Measures Per Work plan (Attachment B), recalling that the first, second, and fourth quarters of 2009, were expected to address the DLCD-approved Alternative Performance Measures. He did not recollect that work had been completed, adding that if it was, or was in progress, staff should provide the JEO with a hard-copy report on the status of the Alternative Performance Measures. He asked if the measures needed to be adjusted and, if so, why? He asked if the metropolitan area was going to be able to meet the benchmarks and wondered where the analysis of that question was. He wanted to know what the area would do differently between now and 2027 if it was not on track.

Mr. Handy said that performance measures were tied to project implementation, and many of the projects scheduled to be completed by 2015 had been completed, so he questioned how future trends projected for 2015 could be the same as expectations for 2027, 12 years beyond that date. Mr. Handy did not think that

Lane Transit District (LTD) bus route status changes had been considered, nor had implementation of bus rapid transit in Springfield or between Eugene and Springfield. He requested an explanation.

Mr. Handy questioned the lack of a staff report regarding the impact of mixed-use centers on the plan's performance thus far. He asked what the cities were doing, if they needed to do better, and if there had been any progress toward addressing the TransPlan Alternative Performance Measures and TransPlan goals. He asked "Where is the full analysis of all of this?"

Mr. Handy indicated he would submit his written remarks into the record.

Mr. Handy closed the hearing on behalf of Lane County.

Mayor Piercy closed the hearing on behalf of the City of Eugene.

Mayor Leiken closed the hearing on behalf of the City of Springfield.

Mr. Clark, seconded by Mr. Zelenka, moved that the Eugene City Council record be held open to accept the staff responses to Mr. Handy's questions.

Ms. Ortiz determined from Mr. Yeiter that Lane County staff would respond to Mr. Handy's questions.

The motion passed unanimously, 7:0.

Mr. Simmons, seconded by Ms. Wylie, moved that the Springfield City Council record be held open to accept the staff responses to Mr. Handy's questions. The motion passed unanimously 6:0.

Mr. Fleenor arrived and assumed the chairmanship of the Board of County Commissioners.

Mr. Fleenor read the ordinance for the first time.

Mr. Stewart, seconded by Mr. Handy, moved the first reading, setting the second reading for July 7, 2010, for Ordinance PA 1272, leaving the record open until July 7. The motion passed, 4:0.

## **2. METRO PLAN WORK PLAN REPORT**

Lane County Planning Director Kent Howe provided the staff report. He said since the last update, staff of the three jurisdictions continued to update the Metro Plan to reflect the JEO subcommittee recommendations, the implementation of House Bill 3337, the necessary conforming amendments to the Metro Plan, and housekeeping amendments. The Board of County Commissioners and Springfield council heard an update on the process in May 2010, and Eugene had scheduled a council update in summer 2010. The jurisdictions had completed the work required by House Bill 3337, and staff was now identifying where the text in the Metro Plan needed to be revised.

Mr. Howe referred to a flow chart provided to the elected officials that showed how the directors were working to combine processes to meet the various requirements facing the area. He anticipated that staff would return in September with policy questions for the elected officials.

Mayor Piercy invited questions and comments.

Mr. Handy believed that the background statement should include a statement recognizing that Lane County Commissioners have an interest in having their own refinement area specific plan as an element of the Metro Plan to address their jurisdiction over the lands inside the urban growth boundary (UGB) but outside the city limits, specifically, the unannexed areas of River Road/Santa Clara.

Referring to the Issue Statement, Mr. Handy asked what the statement "about 80% complete with conceptual/draft language" meant. He asked which work plan tasks were complete, which were in progress, and which were yet to be done.

Mr. Handy recalled that a member of the public had suggested in 2008, that earlier proposed edits were insufficient and that additional conforming language amendments will be necessary to comprehensively address the changes brought about by having separate UGBs. He appreciated that LCDC had stood firm on that point and believed that staff had not yet provided the elected officials with proposed language that reflects the policy complexities embodied in the change from one UGB to two UGBs. He asked when the elected officials could expect the draft Metro Plan language that sufficiently addresses the policy changes/implications resulting from implementation of House Bill 3337. He suggested that if staff expected plan adoption before the end of 2010, the elected officials needed access to the full set of draft materials with sufficient time for recommended changes to be incorporated and vetted publicly.

Mr. Handy expressed surprise at the staff statement it was "caught off guard" regarding the necessity to consider policy language and policy implications resulting from the legislature's decision to abolish the Lane County Local Government Boundary Commission.

Mr. Handy said that if staff intended to present an overall plan to address the issues discussed at the September 30 JEO meeting, it would also need to consider that the elected officials will need adequate time to review, discuss, and recommend changes to that plan.

Referring to the urban transition agreement, Mr. Handy said the Board of County Commissioners did not support a new administrative process to address citizen concerns. The board wanted such concerns to be made by the commissioners. He said the board also wanted to explore changes in the Metro Plan that recognize the unannexed areas in River Road/ Santa Clara as being within the jurisdiction of the County, and which consider this area as a subarea within the Metro Plan.

Responding to a question from Mr. Ralston about whether Mr. Handy's remarks now and earlier represented the board's position, Mr. Fleenor said that a board majority shared the concerns Mr. Handy had expressed. He advocated for a process that allowed County residents living inside the UGB to have representation. While responsibility for services lay with Eugene, those residents cannot vote for a city councilor so they must go to the board, but the board lacked authority over services provided by the municipalities. He said it was a situation that the board would like to see resolved in a fair and transparent manner.

Mr. Clark observed that the issue raised by Mr. Handy was often discussed at the Santa Clara Community Organization and he believed it was an issue that needed to be addressed. He understood that the board had recently discussed taking back some of the services provided through the 190 agreements with the cities and asked if it had come to agreement on how to proceed. Mr. Fleenor indicated the board had scheduled a

meeting to discuss the issue. He said that if the board served notice, a city could turn services over to the County immediately, so the County needed to be prepared for such an eventuality. He assured the elected officials that the board would explore all the different legal aspects of the matter as well as talk to them to see what could be done to improve the process. He said the board wanted to be cooperative as well as sensitive to the needs of residents living inside the UGBs.

Mayor Piercy wanted to ensure that any conversation that occurred not only addressed representation but who paid for what services. She said that was a significant discussion given the financial situation facing every local government. Mr. Fleenor said the board was aware of that and understood there was a cost involved in assuming responsibility for services. He hoped to see a creative process that led to a solution that fit both Eugene and Springfield and met the needs of residents. He acknowledged the board was not certain as to how to proceed.

Mr. Stewart said the comments read by Mr. Handy had not been reviewed by the entire board or approved as its official position. He agreed the board had discussed the issue many times and understood that the board's concern was the reason for the work item. He was not privy to the development of the comments and could not represent them as his own at this point.

Referring to Mr. Handy's comments about another refinement plan for the areas in question, Mr. Clark asked if Lane County intended to have its staff prepare that plan. Mr. Handy said the intent of his remarks was to alert the other elected officials as to what the board was thinking and to avoid later surprises.

Mr. Simmons said that if the board was to discuss service provision in the urban transition areas, he thought it appropriate to have costs as part of the discussion so that the public knew what it meant. He said while it was clear the board had some interest related to jurisdictional control, it needed to have money to support that interest. He suggested that Springfield provide services at less expense and more quickly than Lane County. He believed that was very important to avoid inhibiting growth.

Mr. Sorenson agreed the board had discussed the issue many times. He said the board was looking at whether Lane County could provide services more efficiently to the unincorporated areas within the UGB. He acknowledged that historically, the data demonstrated that cities could deliver services at less cost. However, he believed Oregon's government was shrinking relative to its population, and he thought creative thought was needed to address service provision in that context. Mr. Sorenson suggested that the elected officials needed to consider what government was needed, and what government could be afforded. He pointed out an increasingly smaller percentage of residents lived in the unincorporated areas of Lane County. Mr. Sorenson said that government consolidation was an increasingly popular trend and said people were concerned about the efficiency of government when they saw what appeared to be service duplication in the form of three public works departments, three law enforcement agencies, and three planning agencies.

Mr. Fleenor agreed with Mr. Sorenson. He questioned the relevance of Lane County government, particularly as the timber payments were threatened, economics worsened, and property values fell. He suggested that there was a need to consider the bigger picture and options like government consolidation. He said that the board would discuss the costs of service provision, and suggested the issue went beyond costs and touched on the cost of not having representational government, which led to a loss of trust on the part of citizens.

Mayor Leiken observed that he did not have much time to view the meetings of the Board of County

Commissioners. He expressed concern that the commissioners had made no informal approaches to the cities and the elected officials of Eugene and Springfield about issues the jurisdictions could work on together. He noted the regular meetings he had with Mayor Piercy and said Mr. Fleenor as board chair was always welcome at those meetings. He invited informal contacts from other elected officials.

Mayor Piercy found it heartening that the elected officials were having such a substantial discussion in their limited time together. Given that limited time, she suggested it would be helpful if a jurisdiction putting forth a substantive change could assure the other elected officials that the proposal represented that jurisdiction's official position.

Mr. Clark noted the anticipated decline in timber payments over time, which would have a severe impact on the County's budget. He hoped to have more discussions at the Eugene council about the impact of that and its implications on other governments. He referred to his earlier question about the County's ability to pay for a new refinement plan and said it was interesting to hear the commissioners discuss adding new expenses to the County budget at a time when the County faced real challenges. He looked forward to further discussion.

Mr. Clark welcomed more regular two-way communication between the cities and the County about the important things that the jurisdictions were doing together. He recalled that during a recent Envision Eugene work shop he had raised the need for City staff to check in with the Board of County Commissioners on a frequent basis in regard to what was developing. He invited the board to track that process and provide input.

In response to Mayor Leiken's remarks, Mr. Fleenor believed the conversations needed to take place in the public eye and did not think it worked to conduct such business at a breakfast. Speaking to Mayor Piercy's remarks, Mr. Fleenor said that the board had not taken any official position but he believed there was a consensus that something needed to be done. He personally preferred that the Metro Plan be eliminated and that each jurisdiction have its own comprehensive plan, but he acknowledged that was cost-prohibitive.

Ms. Taylor believed that the elected officials could say what they wished without consulting one another.

Mayor Piercy said she was not saying people did not have a right to an opinion. However, when one jurisdiction was asking for something from another jurisdiction, it needed to ensure that its position represented that jurisdiction's position, not just that of an individual.

Ms. Ortiz said that she frequently heard about the topic from residents of the area in question and was happy to know the board was discussing the issue. She said that the residents of the area in question were taxpayers, and it was a challenge to give taxpayers what they needed within the budget. She thought the meeting was the appropriate setting for the discussion.

Ms. Taylor left the meeting.

### **3. FOLLOW-UP ON ECONOMIC DEVELOPMENT STRATEGIES `**

Eugene City Manager Ruiz recalled the elected officials' approval of the Regional Economic Development Plan in February 2010, and provided a status report on progress that had occurred in regard to the six strategies outlined in the plan. He invited questions on the summary of progress presented and the material



provided in the meeting packet.

Mr. Fleenor maintained that “the global tide has gone out.” There were 3,106 counties in the United States and many thousands of cities vying for new jobs. In regard to the six strategies, Mr. Fleenor suggested that the elected officials of any city or county could hear virtually the same presentation. He asked what the region could do that was so unique that it would drive people to live in Lane County. In response, City Manager Ruiz acknowledged that basic infrastructure creation was common to all communities but extended the scope of what was considered infrastructure to include land, a trained workforce, and entrepreneurial infrastructures such as that created by the University of Oregon. He said that once the infrastructure was in place, the question was what happened next. City Manager Ruiz recalled that several subcommittee members discussed the identity of the region and how to build on the infrastructure in that context.

Ms. Lundberg agreed about the importance of infrastructure as broadly defined by City Manager Ruiz. She said when she considered government’s role she thought about both physical infrastructure as well as other needs, such as the provision of a trained work force, and matching businesses with that work force. She said that frequently, businesses were “on their own” when it came to finding qualified applicants, and she suggested that local governments could form a consortium that served as a clearing house to assist employers in finding qualified workers. Ms. Lundberg liked what she saw in the report and called for more mention of the trades, as the trades provided more skilled and highly paid jobs.

Mayor Piercy believed the community had many of the pieces of infrastructure already in place to build on. She thought the one-stop service center mentioned in the staff report was a great idea and wanted to make sure it was publicized.

Speaking to the mention of targeted industries, Mayor Piercy asked for more detail about what was being contemplated.

Mayor Piercy questioned what direction the elected officials would give the Metro Partnership about what they wanted it to emphasize and what it might want the partnership to do more of and less of.

Ms. Ortiz expressed appreciation for the staff work. However, she did not think the report included sufficient mention of the University of Oregon and all the businesses it had generated.

Ms. Ortiz expressed appreciation for Ms. Lundberg’s comments about the trades and suggested that more focus be placed on such jobs. She pointed out not all residents attended college, and those jobs were generally family-wage jobs.

Mr. Clark expressed appreciation for the work of staff. He appreciated that the focus industry sectors discussed manufacturing, because he thought it critical that the area produced something that brought in capital and added to local economic independence. He expressed surprise about the lack of mention of agriculturally-based products. He thought that was an area where the community could strengthen its economic independence and establish a community identity. Mayor Piercy agreed.

Mr. Zelenka thought the plan was okay but did not find it forward-looking. It did not seem to have much emphasis on positioning the community in the “future economy,” which he believed would be focused on “green technologies” and a green focus. He suggested that staff consider the business sectors identified in the Mayor’s Sustainable Business Initiative and shift more focus to those areas.

Mr. Fleenor said that the private sector was where job creation took place. He endorsed a focus on getting more private jobs into the community. He said that private capital moved into and out of locations on the basis of profitability, and companies were willing to take advantage of public investments and tax subsidies to increase their profits and would then “cut and run” once the tax subsidy ran out. He believed that the community needed to prevent that from occurring again in Lane County. Mr. Fleenor urged a focus on the retention of local businesses and jobs and assistance to struggling business people in Lane County that allowed them to stay in Lane County. He also encouraged a focus on the removal of regulatory barriers and providing business a helping hand whenever possible.

Mayor Leiken expressed appreciation for the staff work. He agreed with Mr. Zelenka. He believed that the region had been trending toward a green economy for a while now and noted his own experience with a green business many years earlier. He recalled Springfield’s adoption of a Groundwater Protection Program in 1999, which required businesses to be greener or to relocate.

Mayor Leiken believed the upcoming governor’s election would be a key element in economic recovery given the Governor’s role in economic development. He pointed out that Eugene-Springfield was the second largest metropolitan area in the state and the elected officials should capitalize on that, as well as on the area’s great transportation system and first rate education system, including resources such as the University of Oregon.

Mayor Piercy believed that the community’s location was a strong positive and it should continue to leverage what it had. She pointed to Lane Community College’s plans to offer education in green technology as an example of an existing resource that could be leveraged to greater advantage.

Mr. Clark endorsed the concept that Eugene-Springfield gained an identity as a center for green manufacturing, but said given the community’s level of unemployment, he did not care about the color of the jobs as long as the jurisdictions were moving toward a model that allowed them to tackle unemployment. He saw no “magic bullet” for the County’s funding issues and no federal or state solution in sight, and maintained that the region would have to work on its own to grow its tax base and economy as the only way to keep government vibrant and able to serve its residents as they deserved.

Mayor Piercy agreed with the remarks of Mr. Clark as they regarded the lack of a “magic bullet,” and with the remarks of Mr. Fleenor as they regarded companies seeking to relocate to Eugene-Springfield.

Mr. Zelenka averred that people thought Eugene was a great place even when they had visited it, and he thought residents underestimated what a great place the region was to live. He did not disagree that the private sector created jobs, but added the caveat that small businesses created most jobs. He expressed gratitude for the public spending that had occurred lately in the form of public works projects and said he did not know where the community would be without those expenditures in the absence of private expenditures.

Mayor Piercy adjourned the meeting at 1:40 p.m.

Respectfully submitted,

Jon Ruiz,

City Manager

*(Recorded by Kimberly Young)*