

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

Meeting Date: June 13, 2011
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Kim Young
Contact Telephone Number: 541-682-5232

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the April 20, 2011, Work Session, May 9, 2011, Work Session, May 9, 2011, Regular Meeting, May 11, 2011, Work Session, May 24, 2011, Boards and Commissions Interviews, May 25, 2011, Boards and Commissions Interviews.

ATTACHMENTS

- A. April 20, 2011, Work Session
- B. May 9, 2011, Work Session
- C. May 9, 2011, Regular Meeting
- D. May 11, 2011, Work Session
- E. May 24, 2011, Boards and Commissions Interviews
- F. May 25, 2011, Boards and Commissions Interviews

FOR MORE INFORMATION

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MINUTES

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

April 20, 2011
 Noon

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Alan Zelenka, Pat Farr.

COUNCILORS ABSENT: Chris Pryor.

Her Honor Mayor Kitty Piercy called the April 20, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
 Sustainability Commission/Envision Eugene**

The council was joined by Sustainability Commission members Josh Skov, Josh Bruce, Shawn Boles, Howard Bonnett, Steve Newcomb, and Rusty Rexius. Sustainability Liaison Babe O’Sullivan was also present for the event. Mr. Bruce recalled the council’s August 2010 direction to the commission to evaluate the results of Envision Eugene. He expressed the commission’s general support for the concepts embodied in the plan. He stressed the need for the council to review the recommendations in light of its goals for carbon, fossil fuel and waste reduction. He also emphasized the importance of considering the nexus between land use and transportation.

Mr. Bruce said the commission believed that planning for climate change and energy uncertainty should be incorporated throughout the plan rather than including it as one of the Seven Pillars of Envision Eugene. He emphasized the importance of plan implementation because that was where critical decisions would be made. He cautioned the council against assuming that the generalized strategies presented in Envision Eugene would support its adopted goals when implemented.

Mr. Bruce emphasized the interconnectedness of each of the seven pillars. He offered the following pillar-specific comments:

Provide ample economic opportunities for all community members

- The identified need for industrial land should be accommodated within the urban growth boundary (UGB) to the degree possible through aggregation/consolidation of existing properties.
- UGB expansion for industrial land should align with City objectives for alternative/active transportation options and sustainable infrastructure development. Industrial development should align with the outcomes of the Sustainable Business Initiative.
- The City should define and quantify the economic burden or opportunity posed by transportation and housing options to illustrate the costs of sprawl and the benefits of smart growth more clearly to policy makers and citizens.

Provide affordable housing for all income levels

- Housing affordability should be defined to include opportunities for a true mix of affordable housing types.
- Housing affordability is tied to the issue of school closure and the demographic trends in neighborhoods without a strong mix of housing types.
- Demographic and income diversity is necessary for the long-term health of the schools and neighborhoods.
- Additional affordable housing units should include both multi-family and single-family units.
- UGB expansion areas should be zoned for mixed use and should follow the 20-minute neighborhood model.

Plan for climate change and energy uncertainty

- The concept of 20-minute neighborhoods relates at least as much to other pillars and themes as it does to energy and climate; the overlap between energy/climate issues and other issues highlighted the problems of sequestering energy and climate concerns in a separate pillar.

Promote compact urban development and efficient transportation options

- The community needs more transportation choices to achieve the goal embodied in the pillar.
- Greater urban density requires that people be provided more transportation choices in the form of walking, biking, and public transit; the design of urban spaces should promote low-cost, healthier modes such as walking, biking and transit as the safest and most convenient options available. This highlights the importance of the EmX system, which is needed to preclude pressure to expand the UGB.
- The council will need to fully commit to multi-modal transportation options along all key existing and proposed east-west and north-south transportation corridors to support the corridor development strategy. The foundation of this pillar is full build-out of the bus rapid transit system and the expansion of the infrastructure serving alternate transportation modes.

Protect, repair and enhance neighborhood livability

- Neighborhood compatibility is not the same as “no change.” Diversity could be compatible with neighborhood character.
- The commission’s TBL analysis suggested a need to change the first strategy under the pillar, which is tied to the Infill Compatibility Standards and Opportunity Siting. Neither had been fully vetted. The strategy should be linked to what City Council adopts for these programs rather than the work done by the respective task teams. The strategy should be revised to be more progressive and should frame density in terms of positive objectives to be achieved, not as a prohibition or restriction. This strategy needs to be reviewed through the TBL framework when implemented to avoid unwanted results.

Protect, restore, and enhance natural resources

- The pillar should cast protection, restoration, and enhancement in the context of opportunity.

- Natural resources, when used and managed correctly, are more than just “attractive” assets and could act as fundamental infrastructure for the city and reduce capital construction and long-term maintenance costs.

Provide for adaptable, flexible and collaborative implementation

- This pillar should be framed in the context of resilience. Recent natural hazards are reminders that the best laid plans “go right out the window” when communities face catastrophic change. Avoid implementing the vision in a manner that limits the community’s ability to recover from a wide variety of impacts.
- Trends that concern the Sustainability Commission are not easily discernible from today’s data. Those trends will become more visible and understandable over time, and the community needs a process to revisit the issues addressed in the plan at regular intervals.

Mayor Piercy commended the commission’s thoughtful presentation. She said the commission was asking the council to think more deeply, to make more connections, and to consider the future. She believed the commission’s recommendations would require some back and forth conversation between the council and commission.

Mr. Clark expressed appreciation for the work of the commission. Speaking to the commission’s concerns about trends, he asked if the commission thought the City’s population projection should be increased due to the potential of climate migration. Mr. Bruce said no. Rather, the commission was recommending the City consider the issue in terms of uncertainty. The City could employ approaches that built resilience into the system in a manner that allowed it to accommodate such growth, while other approaches could make it more challenging to accommodate such uncertainties.

Mr. Boles added that another element of the recommendation was the need to monitor the long-term consequences of implementing the plan. That required tracking population estimates, and one of the drivers for population increases could be related to climate. Mr. Clark concurred about the need for monitoring. Mr. Boles noted the Technical Resource Group formed by City Manager Ruiz to assist staff in developing a monitoring plan.

Mr. Clark determined from Mr. Bruce that the commission preferred the City accommodate its need for industrial lands inside the UGB, but the commission recognized that the City might have to go outside the UGB to meet that demand. Mr. Clark observed that the Eugene Comprehensive Land Assessment identified a need for 1,800 acres of residential land and 400 acres of commercial land. While it might be possible to accommodate the need for commercial land inside the UGB, he did not think the same was true of residential. He believed the commission’s recommendation for mixed-use development in the expansion areas would accommodate commercial development. Mr. Bruce concurred. He said it made no sense to pursue a mixed-use strategy inside the UGB and then abandon it outside the UGB. He anticipated any such development would be in the context of a 20-minute neighborhood, and that development in the expansion area would be mutually supportive to avoid a separation of uses. Mr. Clark concurred as to the need for some commercial development in those areas.

Mr. Clark asked if the commission discussed what represented the core of the community. Mr. Bruce said no. He encouraged the council to avoid thinking about a single core. While Eugene had downtown to consider, mixed use development was predicated on there being many centers of activity.

Ms. Ortiz determined from Mr. Bruce that the commission had discussed the role of schools when it discussed the transportation corridor strategy. Mr. Bruce suggested that the community was seeing the results of what he termed a “single demographic” in the development pattern that resulted in school-age children leaving when they grew up. He said diversity in housing types as well as population types and income levels was necessary.

Speaking to the strategy related to 20-minute neighborhoods, Ms. Ortiz observed that there were few commercial retail businesses within walking distance of the Four Corners area. She asked how the City could realize that strategy in such neighborhoods in light of the pillar related to protection of neighborhood livability. Mr. Bruce responded that compatibility did not mean there would be no change. However, he believed the neighborhood could accommodate a range of uses that would be compatible both with what was in place today and tomorrow.

Mr. Zelenka commended the way the presentation encouraged the council to think about the long-term and make more connections. He asked how the commission proposed that the City integrate the pillar related to climate change and energy uncertainty into the other pillars. Mr. Skov said the commission did not propose that the document be revised at this late date. The commission was more concerned about the need for more integrated thinking than about changes to the document. Mr. Boles concurred. He said the commission did not propose to eliminate the pillar, but wanted the council to recognize, when considering its decisions about other pillars, that they must be anchored in the realities of climate and energy uncertainty.

Responding to a question from Mr. Zelenka, Mr. Bruce clarified that the commission’s recommendations about housing affordability spoke to its concerns about what appeared to a focus on rental housing as affordable housing.

Mr. Zelenka said the comment he heard most frequently from constituents was about the pillars related to the status of the Opportunity Siting and Infill Compatibility Standards projects. People wanted to know what the council was going to do, and he believed that was something the council needed to address soon.

Mr. Farr recalled a discussion about the housing mix he had participated in as a member of the Community Resource Group that touched on the lack of diversity of the housing mix and the housing types used in other communities that were not widely available here, such as row housing developments. Those few row housing developments that had happened were very expensive. He believed the community needed to provide residents with lower cost home ownership opportunities that were not single-house, single-lot developments. Mr. Farr called for further discussion of the issue. He also suggested the council needed to consider the needs of those who could not afford any housing.

Mr. Bruce believed Mr. Farr’s remarks reinforced the importance of the implementation strategies.

Mr. Skov emphasized the importance of considering other factors such as energy costs when discussing housing affordability. He suggested that 20-minute neighborhoods were a housing affordability strategy. He also suggested that the lack of transportation choices was an affordability issue as well as a health issue. He questioned whether those issues would be fully addressed through the transportation system plan update and urged the council to ask those responsible for that plan to discuss how they were dealing with integrated land use and transportation issues as well as health issues.

Ms. Taylor advocated for inclusionary zoning to create income diversity in neighborhoods. She believed the City should attempt to repeal the State law prohibiting inclusionary zoning. She thought a mixture of housing types lent itself to a mixture of income levels.

Ms. Taylor said that the commission appeared to be suggesting that the Infill Compatibility Standards were not a good thing. Mr. Bruce clarified that the commission was suggesting that the City did not yet know if they were a good thing. The council had adopted four infill compatibility standards that the commission discussed at length and which many commissioners did not find sustainable. The commission was asking the council to review the standards through the TBL framework to ensure it was getting the desired results. Some compatibility measures might be compatible from a neighborhood perspective but not from a sustainability perspective.

Ms. Taylor believed it was important that the City consider compatibility. She thought residents had the right to continue in the kind of neighborhood they bargained for. Mr. Skov said the commission wanted to highlight that the Infill Compatibility Standards and Opportunity Siting processes were focused on specific issues and areas and needed more work before being incorporated into a citywide plan. He said none of the plan recommendations would receive support if the result was neighborhoods where people do not want to live.

Ms. Taylor believed the City also needed to consider people's property values. She was aware of a situation where an otherwise desirable house was not selling because of unattractive infill development directly adjacent.

Mayor Piercy acknowledged that the City Council frequently had conflicting goals that it must work through. She emphasized the importance of establishing benchmarks to measure progress. She also stressed the importance of monitoring plan implementation so that document continued to be relevant. Mayor Piercy also reiterated the issues that the commission should address in follow up discussions with the council including affordable housing, definition of "core" and how it relates to greater density, and inclusionary zoning.

**B. WORK SESSION:
Arts and Business Alliance of Eugene**

The council was joined by Alan Evans, Chair of the Arts and Business Alliance. Library, Recreation, and Cultural Services Director Renee Grube and Community Events Manager Billy Moser were also present for the item. Ms. Grube provided a brief presentation on the work of the alliance, which was sponsored by the City of Eugene, University of Oregon, Travel Lane County, the Eugene Area Chamber of Commerce, and Lane Community College. The alliance was formed to coordinate and strengthen the efforts of private, public, and nonprofit culture sectors and foster civic leadership in support of the arts.

Ms. Moser shared the website "Eugeneagogo.com" with the council and demonstrated its features.

Mayor Piercy adjourned the work session at 1:25 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

May 9, 2011
 5:30 p.m.

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

Her Honor Mayor Kitty Piercy called the May 9, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
 Civic Stadium**

Mr. Zelenka reminded the council of its April 13 work session on the topic and the April 25 public hearing at which 30 people testified in support of preserving and renovating Civic Stadium. He called attention to the Agenda Item Summary (AIS) for the item, prepared by himself and Mr. Brown with the assistance of the Save Civic Stadium (SCS) organization, which outlined the four options for City participation in that effort before the council:

1. *Join with SCS in a private-public partnership, revise its proposal, and present to the 4J School Board an option to enter into a lease, with an option to buy, the Civic Stadium property.*
2. *Join with SCS in a private-public partnership, revise its proposal, and present to the 4J School Board an option to purchase the Civic Stadium property using available park bonds.*
3. *Join with SCS in a private-public partnership, revise its proposal, and present to the 4J School Board two options to enter into a lease, with an option to buy, for the Civic Stadium property and to purchase the Civic Stadium property using available park bonds.*
4. *Take no action at this time.*

Mr. Zelenka outlined the parameters of the SCS proposal for a community and family sports complex at the present site of Civic Stadium, made possible by bringing professional soccer to Eugene. The first phase of the project included rehabilitation of the existing grandstand and the addition of a new grandstand, locker rooms, bathrooms, field, and scoreboard. Phase 2 included construction of an indoor field house, restaurant, service building and plaza/entry park. Mr. Zelenka envisioned that the renovation would be accomplished through a public-private partnership between the City and SCS.

Mr. Zelenka reported that consultation with City Attorney Glenn Klein indicated that while the Parks and Open Space bonds could be used to acquire the site for a park, they could not be used to redevelop the site for use by a professional soccer team. His intended motion eliminated the purchase option from further consideration. Instead, he proposed that the City lease the site.

Mr. Zelenka called the council's attention to the SCS Business Plan, included in the meeting packet as Attachment B to the staff AIS. He anticipated the professional soccer team would generate sufficient revenue to cover operating costs, stadium maintenance, and lease payments. Capital costs were addressed in two phases and identified in a table on 3 of the Brown/Zelenka AIS. He envisioned that either SCS or the City would become the lessee of the property and there would be a two-year lease agreement with

milestones to be negotiated with the school district. The City would be the guarantor for part of the lease payment. He suggested a lease amount of \$170,000 escalating at three percent per year.

Mr. Zelenka briefly reviewed the changes that would be required to the SCS' response to 4J's Request for Proposals (RFP) for the Civic Stadium property.

Mr. Zelenka believed the proposal before the council was realistic and had a good chance of succeeding. He said it would require bold action on the part of the council to move the proposal forward, and recalled past council actions that represented bold steps that enhanced the community. He believed the proposal represented a similar opportunity. He pointed out that once the stadium was gone, it was gone forever.

Mr. Brown said the City took bold action in 1938 when it asked citizens to purchase the site for the back taxes owed on it. He recalled that action occurred at a time of high unemployment, but a large majority of voters supported the acquisition nonetheless. He noted that at the same time, the community voted money to acquire 260 acres on Spencer Butte, which served as the foundation for the park that existed today. Mr. Brown said the City Council had a chance to take a similarly bold action today.

Mr. Brown believed that Civic Stadium was centrally located and easy to reach, and liked that the repurposing proposal would preserve it as recreation space. He recalled the testimony the council received about the shortage of fields to accommodate field sports and suggested there would be few days of the year when the facility was not in use. Speaking to the source of funding, he suggested the potential that the City could use \$100,000 in Community Development Block Grant (CDBG) funds.

Mr. Brown said the proposal would also facilitate economic development. He cited the experience of Portland, which remodeled Jeld-Wen Field (formerly PGE Park and originally Multnomah Stadium) at the cost of \$37 million and subsequently rented it to Peregrine Sports, owner of the Portland Timbers, which paid half the costs of renovation and which would pay the City of Portland \$1.4 million in rent and ticket taxes in 2011. That revenue went up about \$100,000 annually. He said the proposal was a business deal for the City that was structured to repay the City its investment.

Mr. Brown thought the community had lost so much in regard to historic assets that it would be a mistake to develop the site with commercial and residential infill, particularly when it was initially intended for recreation.

City Manager Jon Ruiz noted his long-held concern about the potentially open-ended nature of the City's financial commitment to the project. He acknowledged the motion appeared to provide a more finite commitment.

Mr. Clark determined from Mr. Zelenka that it was unlikely that Phase 1 would be completed in the first two years of the lease. Mr. Clark expressed concern that the building would continue to deteriorate and the site could become an attractive nuisance. He also asked about the debt service and whether the nonprofit that operated the stadium would pay property taxes on the site. Mr. Zelenka referred Mr. Clark to the financing plan included with the AIS for information about debt service. He did not know about the property taxes. He did not believe leaving the site alone in its current condition was a problem because he assumed it would be in use at the end of two years. He speculated the other two responses to the RFP would also take some time to be implemented.

Mr. Brown suggested the possibility that Eugene's professional soccer team could be publicly owned, and cited the experience of Memphis, Tennessee, home of the Redbirds, a Triple A farm club of the Cardinals. The Redbirds were owned by a 501(c)(3) organization. The team gave a great deal back to the

community and its profits paid for team salaries and stadium maintenance. In addition, the team operated programs for local at-risk youth. He believed something similar could happen in Eugene.

Mayor Piercy observed that it was likely that the value of the Civic Stadium property would go up in time rather than down.

Mr. Poling noted that federal and State funding for social services was down and he anticipated local social service providers would look to the City for more money. He was concerned about committing \$100,000 annually on the project given existing budget conditions. Speaking to the bold steps mentioned by Mr. Brown, Mr. Poling pointed out that the expenditures in question had all been approved by the voters and did not represent council decisions. Speaking to the potential use of CDBG funds, Mr. Poling anticipated a 15 percent reduction in that funding source and suggested those dollars would be harder to come by in the future.

Mr. Poling did not think proponents of the proposal had firm numbers to offer the council. He found it interesting that once the City entered the picture, a professional soccer team and developmental league football team were interested in the site. He asked if those entities were contributing financially to the project. He could not support the proposal and did not think the City should be involved in project. He said the future of the site was a school board decision. He wanted that decision to have a financial benefit to 4J and hoped that future development on the site increased the tax base.

Mr. Farr asked City Manager Ruiz about the source of the \$100,000 annual contribution the City would be expected to make. City Manager Ruiz said while he had given the matter some thought he was not prepared to recommend a funding source at this time. Mr. Farr noted the large gaps that existed in funding for essential social services, which made him question how the City would come up with the funding in question. He was not interested in spending CDBG funds on the project.

Mr. Farr believed the decision facing the school district was a business decision. He agreed with Mayor Piercy that the value of the site would increase in time. It would not be less expensive to buy in two years. He believed the plan would become more difficult to achieve if the price went up. He understood that Phase 1 depended on fund raising, and he questioned how people would be enticed to give money if SCS did not hold the property.

Ms. Ortiz did not support using CDBG funds for the project. She asked if there was a "Plan B" if the SCS plan did not come to fruition. Mr. Zelenka indicated that if SCS did not meet the development milestones in the lease, the property would revert back to the school district.

Ms. Ortiz appreciated the work done by Mr. Zelenka and Mr. Brown to keep the SCS proposal alive but she was concerned about the cost. She had felt some lukewarm support for the proposal when she thought that the City could purchase the site with parks bonds. However, since those funds were not available, she could not support the proposal.

Mr. Pryor also appreciated the work done Mr. Zelenka, Mr. Brown, and SCS. He found the proposal intriguing. He believed the school board had to make a business decision based on what was reasonable and possible. He had to balance competing needs when considering his decision. With respect for the work that had been done, Mr. Pryor could not support the proposal, in part because of the money but also because he was unsure he would support the proposal if he was on the school board.

Ms. Taylor clarified that the library was not built with a bond issue.

Ms. Taylor said Civic Stadium was a rare historic structure that was part of the community's history and important to a lot of people. She supported preservation of the stadium. She commended the work done by Mr. Zelenka and Mr. Brown and believed the materials provided to the council demonstrated the proposal's viability. Ms. Taylor supported the use of CDBG funds to underwrite the proposal, pointing out they were intended to help under-privileged residents and a redeveloped stadium would serve many children now and into the future. The example set by the stadium's preservation would help teach them respect for history.

Mayor Piercy believed the council's concerns about the status of social service funding were well-taken but she suggested councilors also consider the issue of how the proposal would help build capital into the community to create a better economy for residents.

Mr. Zelenka cared deeply about social service funding and believed existing funding was woefully inadequate. However, he considered the proposal a human services program in that part of it was focused on programming for youth. He said that \$100,000 per year was a modest amount.

Mr. Zelenka noted the letter of support the City received from resident John Jacqua in support of the proposal.

Mr. Zelenka reported he and Mr. Brown traveled to Portland to see the Portland Timbers play and he commended Jen-Weld Field, the team's home field, saying it was an amazing, well-done facility. There were 20,000 fans present to see the game, which he characterized as a European style soccer event. He said the team had captured the imagination of the Portland community.

Mr. Clark suggested the proposal was a "want versus need" situation. He recalled a communication the council received from residents living along Skyline Boulevard complaining about the condition of that road and asking what the City planned to do. He did not want to tell those residents the council would rather support the SCS proposal than fix their road. Mr. Clark said the council had to balance the community's wants and needs against available funding, and he did not find the proposal the wisest choice for the money.

While Mr. Brown acknowledged the final decision about the stadium would be made by the school district and there was no guarantee the SCS proposal would be selected, he thought the City's involvement gave the proposal a better chance of succeeding. He emphasized that once the stadium was gone, it would be gone forever. The community had a chance now to save a piece of its history. The stadium was unique, centrally located, and would be a fabulous recreation resource. He thought it would be sad not to save it.

Mr. Brown agreed with Mr. Zelenka's description of the Portland Timbers game and emphasized the high level of fan involvement. He also pointed out that the City of Portland was making money from the facility.

Mayor Piercy said that the proposed expenditure would be a serious commitment for the City. The issue was whether the expenditure was the right commitment. She believed one could make a case for the stadium's contributions to the community from an economic, social, and historic perspective.

Ms. Ortiz asked how easy it would be for City Manager Ruiz to come up with \$100,000. City Manager Ruiz said it would not be easy. There would be a tradeoff, but he was unsure what it would be.

Ms. Ortiz was trying to reach an affirmative decision about the proposal but continued to be challenged by the money involved. She believed the positive things mentioned by proponents were true but she was

concerned about the City's ability to provide needed services to the community. When she thought about where she would direct another \$100,000 she realized she would not put it toward the proposal. She wanted portable toilets for the homeless in Whiteaker and more places for homeless people to camp. Ms. Ortiz said she could have supported the proposal had the City been in better economic condition, but at this time she could not support the proposal.

Mr. Farr believed that economic stability was the best way to fund social services. However, Eugene did not have economic stability. He asked if the City was guaranteed the funding would be repaid and the time frame for repayment. City Attorney Klein said nothing in the proposed motion spoke to repayment of the City's funds. In the absence of personal guarantees from board members of SCS, he would not advise the council to expect the City to be paid back.

Mr. Farr contrasted the proposed expenditure to priorities such as portable toilets for homeless campers and said it would be easier for him to support the proposal if the City was going to be repaid. Speaking to statements the site was in the center of Eugene, he suggested that depended on where one lived.

Ms. Taylor believed the City would be negligent if it did not do what it could to preserve the historic structure. She thought future residents would be proud of the City Council for saving the stadium and would condemn it for letting it be demolished.

Ms. Taylor, seconded by Mr. Brown, moved that the City Council commit \$100,000 per year for two years to assist Save Civic Stadium (SCS) with lease payments to 4J, and should SCS get the lease from 4J, to direct the City Manager to work with SCS during the two-year term to: develop a financing plan and revised proposal for the redevelopment of Civic Stadium property, and to make a recommendation on how to fund the \$100,000 for two years.

Mr. Zelenka thanked the council for considering the proposal and thanked staff for its efforts and analysis. He thought that all the councilors had made good points. He continued to support the proposal because he felt it would build community, spur economic development, preserve the stadium, and because of the social services element.

Mr. Poling expressed concern the council would not be able to agree on a source of funding for the project and suggested a funding source should already have been identified.

The motion failed, 5:3; Ms. Taylor, Mr. Zelenka, and Mr. Brown voting yes.

**B. WORK SESSION:
Animal Control**

City Manager's Office Division Manager Keli Osborn joined the council for the item. Ms. Osborn reported that the Accessibility Committee of the City's Human Rights Commission requested that the City Council revise the City Code to address impacts to service animals and their owners when the service animals were harmed. The request was generated by incidents where a service animal was injured by another dog. She introduced Mary Otten of the Accessibility Committee, who was present to answer questions.

Ms. Osborn emphasized the importance of the issue to the Human Rights Commission, which considered it a human rights issue.

Ms. Osborn called attention to the draft code language included in the meeting packet and recommended changes that would:

- (1) Define “service animal”;
- (2) Expand the definition of animal abuse to include physical injury to a service animal;
- (3) Require owners to notify the Lane County Health Officer not only for animals biting humans, but for animals biting service animals as well;
- (4) Modify the code to change references to “handicapped person” to “person with a disability”;
- (5) Add violations and sanctions for potentially dangerous dogs for causing harm to service animals;
- (6) Provide the Hearings Official the ability to restitution and training for potentially dangerous dogs; and
- (7) Expand the exemption for dog licensing to include dogs qualifying as service animals.

Ms. Osborn reported that City staff was working with Springfield and Lane County Animal Services (LCAS) on other possible code change recommendations intended to ensure greater consistency between the codes of the three jurisdictions. She noted that staff had shared the recommendations outlined with Municipal Court Judge Wayne Allen and LCAS, and they were generally supportive.

Mayor Piercy called on the council for questions and comments.

Mr. Poling preferred to see the proposed sanction elevated to a higher degree. He said the code did not appear to require that the service animal be identifiable as such or that it have documentation on file with LCAS that identified it as a service animal and asked if that had been discussed. Ms. Osborn said no. She said staff had suggested a definition of service animal that was consistent with the Americans with Disabilities Act, which did not require such identification. She said staff would examine ways to achieve that goal without changing the definition. She said Ms. Otten had indicated in discussions with City and LCAS staff that she believed it would be rare for a service animal not to be identifiable. Ms. Otten pointed out that such animals were in public to perform a task for their owner, which made them more identifiable.

Mr. Clark believed the recommendations were sound and expressed support for moving forward.

Ms. Ortiz asked for more information about the licensing and training for service animals. Ms. Osborn said that people could not merely label an animal a service animal for any purpose. The training service animals received was extensive and the type of service animal was limited to specifically trained dogs and miniature horses. Ms. Otten added that service animals as well as their owners were trained to do particular tasks. She distinguished service animals from companion animals, which did not fall under the ADA definition. Ms. Otten was not aware of any organization that certified service animals.

Ms. Ortiz recalled an encounter with an individual who claimed a badly behaved pit bull was a service dog and asked what people could do in such cases. Ms. Otten said that one could legally ask a person with a service animal what task the animal was trained to do, and one had every right to ask the owner of unruly dog of any kind, including a service dog, to leave.

Responding to a question from Mr. Zelenka, Ms. Otten shared some of tasks service animals were trained to do. She confirmed that the cost of training a guide dog was very expensive, estimating it at \$50,000. Mr. Zelenka believed that the cost involved justified the payment of restitution.

Responding to a question from Mr. Zelenka, Ms. Osborn said that Lane County and Springfield did not have similar code provisions as yet.

Mr. Pryor believed the changes were needed to recognize the special nature of service animals. He suggested that either documentation of training or direct observation could establish if an animal was a service animal. He thought the sanctions highlighted the severity of the offense. Mr. Pryor supported the recommendations as a step in the right direction.

Mr. Farr asked why animals trained to attack were not impounded. He suggested that their owners should be impounded as well.

Ms. Taylor, seconded by Mr. Brown, moved to schedule a public hearing on the proposed animal code changes regarding service animals.

Ms. Taylor did not understand why all dogs that were attacked were not considered equally important. Such attacks were devastating emotionally and financially to those who suffered them. She was also concerned about creating adding new laws. She said that laws never seemed to be repealed. She recalled that the council passed a law in 1996 that no dog owner should permit a dog to be on certain streets near the University of Oregon campus, which she termed ridiculous. The law was still in place.

Ms. Osborn said if the revisions were the subject of a public hearing it was possible people could comment on the law cited by Ms. Taylor.

The motion passed unanimously, 8:0.

III. COMMITTEE REPORTS AND ITEMS OF INTEREST

Ms. Taylor reported she had attended National Rail Day. She commended the speech given by Mayor Piercy at the event. She also commended the mayor's speech at the Million Moms March.

Ms. Taylor mentioned a water problem on Friendly Street that neighbors believed was caused by the street improvement project. She said the City had done nothing to address it, and if the City caused or exacerbated the problem, she thought it should do something about it.

Mr. Farr thanked Mayor Piercy for declaring May 7 to be Ernie Unger Appreciation Day. He also thanked the council for authorizing the action.

Mr. Poling reported that Travel Lane County's Executive Director Kari Westlund was recently honored as by the Governor's Tourism Council for her work. He noted that the organization's Gateway Venture Center was available for private functions.

Mr. Poling reported that May 19 was Public Works Day at the City's Roosevelt facility. He said the groundbreaking for Willakenzie Crossing was occurring later that same day.

Mayor Piercy was pleased that the City was resuming Public Works Day after a two-year hiatus.

Ms. Ortiz had attended the grand opening of the new Seneca biomass plant and toured the facility.

Mr. Clark reported that he, Ms. Taylor, and Mr. Poling had attended Mayor's Day in Salem on behalf of the mayor and spoke to the local delegation about the City's priorities. Those included Senate Bill 764, which would allow the City to establish alcohol impact areas. The bill was passed by the Senate and he believed it had a good chance of passage in the House of Representatives.

Mr. Clark determined from the council that it preferred to maintain the current process for Police Commission applications rather than defer any of it to the Police Commission.

Mr. Farr reported that Bethel School District's Budget Committee would hold a public hearing at the Bethel Community Center on May 11.

Ms. Taylor noted her membership on the National League of Cities' Human Development Steering Committee, which was studying Social Security with the goal of making recommendations on the topic to the league. She invited councilors with ideas on the subject to contact her.

Mayor Piercy reported that the Million Moms March held on May 8 was in honor of Officer Chris Kilcullen. She said there was also an "I" march with 400 students and their parents asking people to pay attention to global warming and climate change.

Mayor Piercy encouraged residents to visit Awbrey Park, which had been adopted by a group of volunteers who had worked hard to refurbish it. Mr. Clark added that the park was unique because it was surrounded by Spring Creek. He also noted the work of Peter Thurston and other residents who had worked to restore Spring Creek as it flowed through Santa Clara. The City's Neighborhood Matching Grants Program had supported that effort.

Mayor Piercy reported on a recent visit from citizens of El Salvador who visited Eugene seeking green practices to take home. She had attended the City Club of Salem to speak on rail. Mayor Piercy noted the recent retirement of Rich Linton from the University of Oregon.

Mayor Piercy announced that Eugene had been awarded \$1.5 million in federal funding to complete preliminary work on a new siding to accommodate waiting passenger trains and a raised passenger platform at the train station. She said that the new Oregon expression was "Rapid Passenger Rail."

Mr. Zelenka announced a public meeting on May 26 at the Hilton Hotel to discuss the State's plan to reduce greenhouse gases, "Road Map 2020."

Mayor Piercy adjourned the meeting at 7:06 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

Eugene City Council
Council Chamber—City Hall
777 Pearl Street—Eugene, Oregon

May 9, 2011
7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the May 9, 2011, regular meeting of the Eugene City Council to order.

1. **ACTION:**
Resolution 5033 Pronouncing Appreciation to the Communities, Agencies, and Businesses that Assisted the City of Eugene with Events Honoring Fallen Officer Chris Kilcullen

Mayor Piercy read the resolution:

The City Council of the City of Eugene finds that:

A. On April 22, 2011, Eugene Police Officer Chris Kilcullen tragically lost his life in the line of duty. Many communities, agencies, and businesses contributed resources to City of Eugene to assist in paying tribute to Officer Kilcullen. The City of Eugene wishes to express its gratitude for those contributions.

B. The Oregon State Fire Marshal provided an expert Incident Management Team, comprised of members from fire service agencies throughout the state, for comprehensive planning and operations support of the motorcade procession and Celebration of Life event.

C. The University of Oregon provided use of the Matthew Knight Arena and personnel for planning and implementation of the Celebration of Life event and motorcade procession, including event production and parking services.

D. The Lane Transit District, Eugene Water & Electric Board, Oregon Pacific Red Cross, City of Springfield, Lane County, Oregon Department of Transportation, Oregon State Police, Lane County Sheriff, and Federal law enforcement agencies all helped plan the Celebration of Life event and motorcade procession, and supplied resources for implementing the events, including free shuttle service provided by Lane Transit District.

E. Police agencies from Lane County, Springfield, Portland, Cottage Grove, Florence, Junction City, Salem, and the Oregon State Police volunteered police personnel to keep the city safe and provide services during the Celebration of Life event and motorcade procession so that Eugene Police personnel could fully participate in the events. More than 200 honor guard members participated in the honor guard at the Celebration of Life.

F. Local businesses donated materials and services for the Celebration of Life planning effort and events.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. The City of Eugene extends its gratitude and appreciation to the Oregon State Fire Marshal, the University of Oregon, Lane Transit District, Eugene Water & Electric Board, City of Springfield, Lane County, Oregon Department of Transportation, the Red Cross and participating law enforcement agencies for contributing thousands of hours assisting the City of Eugene plan the Celebration of Life event and motorcade procession, donating the use of Matthew Knight Arena, and providing staff to carry out the events.

Section 2. The City of Eugene extends its gratitude and appreciation to participating law enforcement agencies for donating law enforcement personnel to patrol Eugene and respond to calls so that Eugene Police personnel could attend the events honoring Officer Kilcullen, and also to the agencies who participated in the honor guard.

Section 3. The City of Eugene extends its gratitude and appreciation to intergovernmental partners and businesses for contributing time, money and resources to assist the City in paying tribute to Officer Kilcullen.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Resolution 5033 pronouncing appreciation to the communities, agencies, and businesses that assisted the City of Eugene with events honoring fallen Eugene Police Officer Chris Kilcullen. Roll call vote: The motion passed unanimously, 8:0.

2. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum. She opened the forum.

Bob Richards, 2893 Timberline Drive, Executive Director of Willamette Family Center, advocated for the restoration of funding for the sobering services at Buckley Center. He acknowledged the financial challenges facing local government but emphasized how critical the sobering services were to law enforcement. He pointed out the two CAHOOTS vans would have nowhere to take intoxicated individuals but the emergency rooms at a much larger cost to the public. He urged the City Council to communicate with the Lane Board of County Commissioners to discuss potential solutions.

Mark Brewer, 4284 West 7th Avenue, project manager for Essex General Construction, spoke in support of the Paradigm on Pearl application for the Multi-Unit Property Tax Exemption (MUPTE). He noted the positive impact of construction spending on the local economy. He spoke of other local projects made possible by the MUPTE and hoped the council supported the application. He said his firm was local and hired locally. The money generated by the project would remain in the local economy. It would directly and indirectly employ hundreds of people. He spoke of the pride those involved with the project felt and described some of its features. He believed the project was appropriate for Eugene.

Eli Volem, 2695 Madison Street, representing the firm Earth Advantage, which provided third-party certifications for LEED (Leadership in Energy and Environmental Design) structures, emphasized that the planning for the Paradigm on Pearl project had occurred with a LEED focus. He said that the project might be built without the MUPTE but he doubted it because of the cost of the additional features that

supported the LEED certification. He said the goal for the developer was a gold LEED rating. He anticipated the building would be 26 percent more energy-efficient than it would be had it been built to code.

Dan Neal, 3555 Agate Street, spoke in support of the MUPTE application for the Paradigm on Pearl. He shared a large-scale rendering of the project and said it was designed to embody community goals for compact urban growth and sustainable development. Mr. Neal said the developer decided to attain LEED certification at the gold or platinum level and to include a private underground parking facility. The developer had earned 440 MUPTE points, which was three times the all-time previous high. He emphasized the importance of MUPTE to the project design as it enabled the developer to include many of the features that supported the LEED certification. Mr. Neal noted that in spite of the MUPTE, the City would begin to collect taxes immediately on the commercial part of the project. He believed the project would enhance the character of the area and strengthen the connections between mid-town and downtown. He asked the council to support the application.

Zachary Vishanoff, no address given, opposed the MUPTE. He pointed out the City was using it to increase densities in the densest neighborhood in the city. He suggested there was a connection between such increased densities and what he termed the “micro-riots” that took place in the neighborhood, which were costly to address.

Mr. Vishanoff found the procession for Officer Kilcullen to be valid, but opposed the Champions Parade as unsustainable and unjustified. He said such events should occur only in extraordinary circumstances.

Returning to the MUPTE, Mr. Vishanoff believed that it contributed to the decline of the neighborhood. He said the City could do infill or “instead-of-fill.” It was doing “instead-of-fill” when it removed part of the neighborhood. Mr. Vishanoff believed the developer in question was a good one with good projects in the neighborhood. However, Mr. Vishanoff did not support the project in question. He did not think the tax break was justified in light of other City funding priorities. He believed that smart growth was very divisive. He asked the council to set the MUPTE aside for a deeper conversation about its impact on the West University neighborhood.

Gary Heldt, 3477 Onyx Street, expressed frustration about the City’s May 2 administrative order increasing fees in the Stormwater Program. He said the program was already one of the most expensive per capita in the state. The proposed increase of 11 percent would take effect on May 13 without council intervention. Mr. Heldt said that the Public Work Department estimated \$1 million was needed to decommission dry walls, but the actual work would be accomplished by property owners. He asked if any councilors had reviewed the basis for the increase. Mr. Heldt pointed out that there was \$2.6 million in surplus in the program.

Mr. Heldt said the City’s Stormwater Program was one of the worst in terms of expense versus meaningful results. The department wrongly assumed that runoff from roofs contributed to pollution but had no testing to demonstrate that. The Eugene Water & Electric Board (EWEB) tested 500 rooftop samples and found no measurable pollution levels. However, Public Works was uncooperative in regard to rooftop testing. He believed the department was spending millions to manage imaginary levels of pollution. Mr. Heldt said that School District 4J was the City’s largest customer as about half of its total impervious surface was roof. He suggested that one could conclude that there was no justification for \$1.3 million of the \$3 million the City had assessed property owners since the program’s inception.

Kevin Matthews, PO Box 1588, Eugene, advocated for high-quality dense development in the downtown area as key to the implementation of Envision Eugene and other City goals. He believed residents

resisted density because the City did not have a good record of achieving density with quality. Instead, the result was slums. Mr. Matthews opposed the MUPTE application for the Paradigm on Pearl development because he found the building “grotesque.” He objected to the fact that about half of the units faced an inner courtyard and suggested that rather than be U shaped, the building should be L shaped to preserve open space.

Tom McKee, 925 North Park Avenue, Director of the Buckley Detoxification and Sobering Center, shared some statistics from the sobering services that indicated the majority of clients were from Eugene. He said there was no money for the service in the proposed Lane County budget. He believed the service was critical to Eugene and Lane County residents.

Paul Cziko, 1355 Bailey Avenue, representing the organization “Connect Eugene,” reported that University of Oregon President Richard Lariviere had asked Oregon Research Institute (ORI) to consider a site other than the intended site in the Riverfront Research Park. He said UO students had authorized the use of student funding to examine how to best move forward with the riverfront in the future. He said Connect Oregon supported 1700 Millrace as the new site of ORI. He asked the council to do what it could to facilitate the switch.

Allen Hancock, 2244 Alder Street, Connect Eugene, circulated a photograph of the 1700 Millrace site among councilors. He urged the council to work with the developers and the UO to identify and overcome hurdles to the use of the site.

Rodney Retzman, no address given, expressed concern that something very wrong was going on, as evidenced by the experiences of people he knew who needed help but could not get it. He was currently homeless. He was disgusted with the way that things were going in the nation and in Eugene. He did not think that people were getting any trickle-down benefits. He asked why people could not walk up to a homeless person and say hello instead of looking away.

Mayor Piercy closed the Public Forum and thanked those who spoke. She solicited council comments and questions.

Mr. Clark expressed appreciation for the testimony. He wanted to investigate funding options for the Buckley Center and expected the topic would be discussed by the Budget Committee, which was meeting that week. He asked how the council could review the Stormwater Program fee increase. Mr. Klein said he would get back to the council on May 11 with an answer.

Ms. Taylor congratulated those who worked to facilitate the relocation of ORI. She found the news to be good news.

Mr. Zelenka also thanked the Connect Oregon representatives for their hard work and looked forward to the analysis. He welcomed Mr. McKee to Eugene and said he supported the work he did at Buckley Center.

Mr. Poling also welcomed Mr. McKee. He said when he was involved in police work he had taken many people to Buckley Center and believed it was worth every penny of the community’s investment. He hoped the City could help the facility with funding.

Mr. Farr thanked those who offered testimony. He noted that Mr. Brewer’s company had built the Food for Lane County building, which was a beautiful facility.

Ms. Ortiz thanked those who spoke. Speaking to the MUPTE application, Ms. Ortiz suggested the City had more than its share of MUPTEs in the University area. She believed the MUPTE should be used in areas where the City wanted more construction. She anticipated she would request a work session on the City's MUPTE. She said she would support the MUPTE application before the council but unless future applications were in the west part of town, she would be unlikely to support them.

3. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - March 9, 2011, Work Session
 - March 16, 2011, Work Session
 - April 11, 2011, Work Session
 - April 11, 2011, Regular Meeting
 - April 13, 2011, Work Session
- B. Approval of Tentative Working Agenda**
- C. Adoption of Resolution 5031 Adopting Inflationary Adjustments to Systems Development Charges for Park System and Amending Resolution No. 4900**

Councilor Taylor, seconded by Councilor Brown, moved to approve the items on the Consent Calendar. Roll call vote: The motion passed unanimously, 8:0

4. ACTION:

Adoption of Resolution 5032 Approving a Multiple Unit Property Tax Exemption for Residential Property Located at 1647 through 1689 Pearl Street and 231 through 235 East 17th Avenue, Eugene, Oregon (Pearl Street Sustainable Housing LLC/Applicant)

City Manager Jon Ruiz introduced the item, which was a resolution to approve a MUPTE for residential property located on 17th Avenue and Pearl Street. He recalled that the council had approved a point system for measuring the public benefit from a project and directed staff to recommend projects that received more than 100 points. The project in question, the Paradigm on Pearl, had received points well over that minimum threshold. Amanda Nobel Flannery of the Planning and Development Department was present to answer questions about the application.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Resolution 5032 approving a multiple-unit property tax exemption for residential property located at 1647 through 1689 Pearl Street and 231 through 235 East 17th Avenue, Eugene, Oregon (Pearl Street Sustainable Housing LLC/Applicant).

Mr. Clark said he agreed with the testimony offered by Kevin Matthews. He said the more the City did to increase density, the more important quality was. He liked the idea of incentivizing higher quality design. He believed the project, by virtue of the points received, qualified as quality construction. He supported the motion.

Mr. Brown asked questions clarifying the amount of taxes that would be paid by the project.

Mr. Brown recalled the council's discussion about Civic Stadium, during which several councilors expressed concern about finding the money for the project and concern that spending money on the project could affect the funding for social services. He pointed out that the property in question could

have been taxed to support those services. He looked forward to a work session on the MUPTE program in general. Mr. Brown did not support the application, and believed the program had outlived its usefulness.

Mr. Zelenka said his concern was about the loss of property tax revenues that would otherwise go to the General Fund. He said the initial reason for the MUPTE was to stimulate development that had not been happening in the West University area. He pointed out over the last two to three years, multiple developments had occurred in the area. Many were located outside the MUPTE boundaries and received no property tax exemption. He suggested the City was granting tax exemptions that were not needed. He agreed with Ms. Ortiz that other areas of the community needed the MUPTE, such as downtown and the Trainsong area.

Mayor Piercy said that development would occur with or without the MUPTE, but the question was what would be built and its quality. She looked forward to a discussion of how to incentivize the type of construction the City wanted to see built.

Mr. Poling found the application unlike any other MUPTE application he had seen because of the inclusion of underground parking and the first-floor commercial retail space. In addition, the development would generate more tax revenue at the beginning on the land and commercial value than it pays now, and in the 11th year it would pay all taxes levied against the property. He said the project would enhance the neighborhood. He pointed out that development could also be converted to condominiums in the future. He said the council needed to work with the rules and boundary in place, or change them. The council should not punish people for following the rules.

Ms. Taylor pointed out the council did not have to approve the application. She suggested the City should incentivize better construction everywhere, not just in the area in question. People were struggling to pay their taxes in other parts of the community and questioned such breaks when they heard of them. She said the next-door neighbors were upset about the loss of solar access and the balconies that would be provide views over backyards. She thought the City should receive an advantage when it gave a tax exemption. She did not think the MUPTE was needed in the neighborhood. She hoped that the developer was building a good building because they want to attract renters and build a nice building for the community.

Ms. Ortiz determined from Ms. Nobel Flannery there were no other MUPTE applications pending.

Mr. Pryor was also interested in a council work session on the MUPTE program. He was willing to support the application but that did not guarantee his future support for future applications. He said the discussion pointed to one of the council's challenges, in that each councilor believed each dollar in the budget needed to be spent in a slightly different way.

Mr. Farr agreed with the remarks of Mayor Piercy and Mr. Poling regarding the quality of construction and its relationship to City goals. He suggested the development fit Mr. Matthews' goals for quality dense infill. He looked forward to the work session and to discussing how the MUPTE program could be applied in the Trainsong area.

Mr. Zelenka agreed the quality of multi-family housing was important. He pointed out that a development outside the MUPTE zone built without subsidies was seeking LEED certification, and suggested the City look into how that was accomplished. He suggested the City might more appropriately have a LEED certified incentive program. He pointed out that the code allowed such exemptions to be

granted if the council found it to be in the public interest to do so. He did not think the MUPTE was needed for this project and hence was not in the public interest. He opposed the motion.

Roll call vote: The motion passed, 5:3; Ms. Taylor, Mr. Zelenka, Mr. Brown voting no.

Mayor Piercy adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

May 11, 2011
Noon

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

Her Honor Mayor Kitty Piercy called the May 11, 2011, work session of the Eugene City Council to order.

A. WORK SESSION:

Authorize Additional Street Preservation Projects to Use Anticipated Bond Proceeds Remaining Upon Completion of 32 Streets Identified in Bond Measure

City Engineer Mark Schoening joined the council for the item. He introduced members of the Street Repair Review Panel present, who included Howard Bonnett, John Barofsky, and Janet Calvert. Other members of the panel included Jim Wilcox, Steve Lee, Gary Wildish, Paul Holbo, Dan Brown, Paul Adkins, Bob Kline, Clayton Walker, and Bruce Mulligan.

Mr. Schoening presented the panel's recommendations for street projects to be funded using the remaining moneys from the Bond Measure to Fix Streets. He anticipated \$10 million would remain after the 32 projects listed in the measure were completed. He sought council approval to fund additional projects. Mr. Schoening anticipated that if the council approved the project list, the City would begin to work immediately with the goal of commencing construction in 2013.

Mr. Schoening briefly described the process used by staff to identify the initial project list. The panel reviewed the initial list and narrowed it to a list of geographically distributed projects that cost about \$6.5 million. He reported that the panel was in the process of considering additional projects.

Mr. Schoening called attention to the project list, reflected in Attachment A of the Agenda Item Summary (AIS), entitled *Additional Streets to be Repaired with Proceeds from the Street Bond Measure*. He invited questions.

Mayor Piercy expressed appreciation for the projects on the list, noting many of the streets had been discussed as needing repairs for a long time. She solicited questions and comments from the council.

Mr. Zelenka determined from Mr. Schoening that the surplus funding was a result of the recession and the bidding climate, the cost of interest, and the paving technique used, which allowed contractors to recycle the roadway materials in place and reduced the number of trucks needed. In addition, some of the streets identified in the measure were in better condition than anticipated because of good design and the failure did not extend to the street base, which lowered the project costs.

Mr. Zelenka commended the list. He asked about the status of the projects reflected in Attachment B, *Additional Streets Not Endorsed by the Street Repair Review Panel*. Mr. Schoening anticipated that those projects would be part of a larger pool of future projects.

Mr. Zelenka determined from Mr. Schoening that the projects were done by private contractors using specialized equipment. Mr. Zelenka asked when the council could expect to see the next project list. Mr. Schoening anticipated the council would review the list after the panel completed its review. Mr. Zelenka noted his past advocacy for a project list that included geographically distributed projects, which helped with the passage of the bond measure. He believed that it was important future project lists continued that distribution.

Responding to a question from Mr. Poling about the final year of the current bond, Mr. Schoening said the final year of construction was 2013. Staff hoped to get the initial list completed this year and the added projects in 2013. Mr. Poling asked about the timing of the next bond. City Manager Ruiz suggested that was part of a larger financial discussion.

Mr. Poling determined from Mr. Schoening that as a result of the added projects, the entire length of Coburg Road would be rehabilitated in the next two years.

Mr. Poling advised Mr. Schoening that the east end of Willakenzie was in poor shape and the pavement was beginning to alligator.

Mr. Clark was pleased about the approach the council took in the last bond. He thought staff had done a fantastic job of implementing the bond and commended the City's management of the bond funds, which allowed it to make more progress on the maintenance backlog.

Mayor Piercy praised Mr. Schoening for the innovations, good management of the bond proceeds, and the use of best practices that reduced projects' impact on the environment and reduced carbon emissions.

Ms. Taylor, seconded by Mr. Brown, moved to authorize the additional streets shown on Attachment A to the list of streets to be repaired with bond measure proceeds. The motion passed unanimously, 8:0.

**B. WORK SESSION:
Update on Ridgeline Park Acquisitions**

The council was joined for the item by Natural Resources Manager Eric Wold and Parks and Open Space Division Manager Johnny Medlin. Mr. Wold provided an update on the Ridgeline Park acquisitions with a focus on the acquisitions made possible by the passage of the parks bond measures passed in 1998 and 2006. He shared maps to provide context for the location of the ridgeline, summarized the vision and policy documents that pertained to the ridgeline, highlighted a recent acquisition and its funding sources, discussed capital improvements made in the park, and highlighted the funding gap for operations and maintenance and capital funding backlog. Councilors asked questions clarifying the details of Mr. Wold's presentation.

Mayor Piercy expressed appreciation for the work done by staff and to the public for its support. She also recognized the volunteers and donors who made the park possible. She suggested there must be good economic benefit to the community from the city's parks and open spaces. They attracted people to visit and live in Eugene. She believed the parks system was another element of the City's economic story.

Ms. Taylor commended the presentation. She said that the City was building on what people living in earlier times had started, which she thought was great. She asked if there were still gaps in the Ridgeline Trail to be filled. Mr. Wold said yes. He identified two areas on a map where those gaps existed. He said in addition, the City had acquired some land in other areas for the trail but had not been able to financially afford to construct the trail.

Ms. Taylor asked if there was a plan for bicycle parking at the west end of the trail at 52nd Avenue and Willamette Street. She suggested that if such parking existed, people could ride their bicycles to the trail and leave them to access the trail. Mr. Wold did not believe there was bicycle parking at any trailhead in the system and said he would give the matter some thought.

Responding to a question from Ms. Taylor, Mr. Wold confirmed that there were rattlesnakes living on Spencer Butte. He further confirmed that the signage on the Spencer Butte trail had been improved, and many of the planned capital improvements were intended to address conditions on that trail, including muddy conditions. Ms. Taylor asked how the City addressed vandalism at the trailheads. Mr. Wold acknowledged that such vandalism was a challenge for many of the City's remote sites. He reported that the main parking lot at Spencer Butte was equipped with digital motion-sensitive cameras to capture images and staff continued to work to improve that system and the images that it produced. He hoped it served as some deterrent.

Responding to a question from Mr. Poling about who made the determination that an area had high habitat value, Mr. Wold said those areas were identified in a series of public meetings and with the assistance of staff from various public agencies. He clarified that the intent was not to acquire all the private lands that contained high-quality habitat, but rather that the habitat values might be preserved through the efforts of willing private owners. Mr. Poling asked how much bond money was left for ridgeline acquisitions. Mr. Wold said once the pending acquisition was completed, the money for ridgeline expenditures would be exhausted.

Responding to a question from Mr. Poling about funding sources for operations and maintenance, Mr. Wold believed there was the potential to secure some grant funding for capital restoration and trail work. He said more routine operations and maintenance activities were generally not grant-eligible. Staff attempted to be as efficient in its operations and maintenance practices as possible.

Mr. Poling asked if the operations and maintenance backlog would grow as quickly as the transportation system backlog. City Manager Ruiz said yes. He said all infrastructures had a similar aging curve and at some point deterioration occurred at an increased pace.

Mayor Piercy suggested that the council and staff consider the example of Awbrey Park, where volunteers had assumed some maintenance responsibilities. She asked how the City could continue to build such public investment in the parks system with understanding of the limits of that resource.

Mr. Farr noted the extensive volunteer contributions made to other parks such as Golden Gardens and Irwin parks. Speaking to the mayor's remarks about the economic impact of the City's park system, Mr. Farr said he recently discussed why people live in Eugene with a developer, who believed it was because of the beautiful surrounding environment that existed in the community.

Speaking to Ms. Taylor's question about vandalism, Mr. Farr suggested the City take advantage of the presence of local firms who might be able to help with technology solutions.

Mr. Clark commended the presentation. He confirmed with Mr. Wold that after three years the City would have no funding for operations and maintenance for its most recent acquisition and expressed concern about that. He was happy the City was able to leverage the purchase to such a degree, but was concerned that the addition of the asset would be used as justification for a new revenue stream. He preferred to make what he characterized as “hard decisions” instead.

Mr. Clark recalled that \$10.5 million was identified in the parks bond both for a community park in Santa Clara and for several neighborhood parks. He determined from Mr. Wold that those funds were still set aside. Mr. Medlin reported that one of the thirteen neighborhood parks identified in the bond measure had been completed. The acquisition of Suzanne Arlie Park reduced the amount of funding available. He said it was difficult to find flat in the areas identified for new parks. The City was considering the acquisition of developed properties with the intent of holding them to redevelop as parks.

Mr. Clark asked if the City’s parks systems development charge was based on those planned neighborhood park acquisitions. Mr. Medlin said yes.

Mr. Clark suggested that as the vision in Envision Eugene was implemented and the community grew denser, the need for neighborhood parks would be more pronounced and their acquisition would be harder and more expensive. He suggested the City consider how it might incentivize the acquisition process. He hoped the acquisition of neighborhood parks was the division’s next area of focus. Mr. Medlin said it was the division’s priority but the City’s requirement that the property sellers be willing made the task more challenging. He said the division continued to look at opportunities for grants to leverage other dollars.

Mr. Zelenka asked when residents would be able to walk on the Ridgeline Trail from Lane Community College to Fern Ridge Reservoir. Mr. Wold said it was hard to predict given existing economic conditions but he believed the City had a framework in place to realize that vision.

At the request of Mr. Zelenka, Mr. Medlin provided an update on the City’s attempt to acquire the Beverly property, reporting the acquisition was on hold because the City could not reach an agreement on price with the property owner. Because of other acquisitions and projects, the City lacked the money to buy the site and would have to develop a funding package to move forward. Mr. Zelenka suggested a funding approach similar to that used for the City’s newest acquisition in the system.

Mr. Zelenka believed the council needed to act on the shortfall in funding for operations and maintenance before it became a crisis as well as capital for park development. He suggested the potential of a bond or a levy to address those issues.

Mr. Pryor expressed appreciation for the mayor’s mention of the economic aspect of parks because he believed quality of life and quality of livelihood were connected concepts and mutually supportive. He agreed it was necessary to consider the operations and maintenance needs of City assets and acknowledged that the City felt less pressure to maintain its open spaces than it felt pressure for road maintenance. He did not want to turn away a potential asset because the City could not take care of it right now, but felt the City needed to cognizant of those obligations, particularly for neighborhood parks. Such facilities required more maintenance than some other types of parks. He believed the City was trying to strike the right balance, but that was not easy.

Mayor Piercy observed that every additional City asset also had a public safety cost related to it.

Responding to a question from Ms. Taylor about the funding that remained to purchase natural areas, Mr. Wold said the City held \$2 million that was designated for the acquisition of Willamette River frontage.

Responding to a question from Ms. Taylor, Mr. Wold indicated staff was not working actively on the Beverly property acquisition. Ms. Taylor felt it was important to keep the property from being developed.

Ms. Taylor suggested that composting toilets be located along the trail.

Speaking to Mr. Clark's remarks, Ms. Taylor said the City needed new revenue streams for the things it needed. She said government existed because people could not do things on their own. If there was not enough money to do the things that needed to be done, the council needed to look for new revenue streams.

Mayor Piercy believed one of the nicest things about the park was that Eugene could share it with the broader community.

Mayor Piercy adjourned the work session at 1:06 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

May 24, 2011
5:30 p.m.

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

COUNCILORS ABSENT: Andrea Ortiz, Mike Clark, Pat Farr.

A. BOARDS AND COMMISSIONS INTERVIEWS

The council interviewed candidates for open positions on the City’s Budget Committee and Toxics Board.

Mark Rust, Chelsea Clinton, Laura Illig, and David Hinkley were interviewed for vacancies on the Budget Committee, and each candidate was asked the following questions.

1. *Suppose the City of Eugene is projected to experience a long-term financial deficit where its expenditures are expected to exceed revenues for the foreseeable future. What policy options would you consider to create a balanced City Budget?*
2. *What City services do you consider to be the most important to the community in general and to you personally?*
3. *Taking into account broad community input is an important part of the Budget Committee discussions and decision-making. What types of information and community feedback would you consider as part of analyzing and discussing the City’s budget?*

Christine Zeller-Powell, Joseph Gonzales, and Alison Guzman were interviewed for vacancies on the Toxics Board. Each candidate was asked the following questions:

1. *To represent the right-to-know, or advocacy, position on the board, you must have a demonstrable record of advocating for the public’s right to know. Please tell us how you meet this qualification.*
2. *What is your understanding of the purpose of the City’s Toxics Right-to-Know Program?*
3. *Do you feel you can work effectively with the other members of the board, some of whose viewpoints on certain issues may be diametrically opposed to yours? Why?*

Ms. Taylor adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young

MINUTES

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

May 25, 2011
 5:30 p.m.

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

COUNCILORS ABSENT: Mike Clark, Pat Farr.

A. BOARDS AND COMMISSIONS INTERVIEWS

The council interviewed candidates for open positions on the City's Human Rights Commission and Civilian Review Board.

Andrew Thomson was interviewed for a vacancy on the Human Rights Commission, and was asked the following questions:

1. *What are the top community human rights concern(s) you could see the commission focusing on that would help the council and City staff to meet the needs of our community? And, what specific action might the commission take to address the concern(s) you have identified?*
2. *Volunteering for a City human rights organization that advises elected officials and works with City staff is different from a community-based human rights organization. Given those differences, what skills or abilities do you have that would make you effective in this role?*
3. *During a commission meeting a community member comes to the meeting and asks the commission to take a position on their issue/concern. You are aware that another part of the community holds the opposite view and it is an issue you know very little about. What could the commission do in a situation like this? And, what role could you see yourself playing?*

Debra Velure, Lizbeth Metteer, and George Rode were interviewed for vacancies on the Civilian Review Board. Each candidate was asked the following questions:

1. *What can you tell us about your activities, personal attitudes, and life experience that would demonstrate you can make objective decision about complaints against the police?*
2. *What contacts, positive or negative, have you had with police or in the criminal justice system?*
3. *One of your neighbors is a Eugene officer. He knows you are on the CRB. Recently, he asked you a hypothetical question about what you think an officer should do in a particular situation. What would be your response to his question?*

Ms. Taylor adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)