

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

Meeting Date: September 12, 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 June 20, 2011, Work Session, June 22, 2011, Work Session, June 27, 2011, Work Session, June 29, 2011, Work Session, July 11, 2011, Work Session, July 11, 2011, Regular Meeting, July 13, 2011, Work Session, July 20, 2011, Work Session, July 25, 2011, Work Session, July 25, 2011, Regular Meeting, and July 27, 2011, Work Session.

ATTACHMENTS

- A. June 20, 2011, Work Session
- B. June 22, 2011, Work Session
- C. June 27, 2011, Work Session
- D. June 29, 2011, Work Session
- E. July 11, 2011, Work Session
- F. July 11, 2011, Regular Meeting
- G. July 13, 2011, Work Session
- H. July 20, 2011, Work Session
- I. July 25, 2011, Work Session
- J. July 25, 2011, Regular Meeting
- K. July 27, 2011, Work Session

FOR MORE INFORMATION

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MINUTES

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

June 20, 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 June 20, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Housing and Urban Development Sustainable Communities Grant**

Assistant City Manager Sarah Medary introduced the topic, reminding the council that the Housing and Urban Development (HUD), through the Partnership for Sustainable Communities Program, had awarded the region a \$1.45 million Sustainable Communities Grant. The Lane Council of Governments (LCOG) was lead agency in developing the Memorandum of Understanding between the local partners in the Lane Livability Consortium, which would be funded by the grant. She reported that the deadline for submittal of the MOU had been extended by HUD.

Assistant City Manager Medary went on to place the grant in the context of several City of Eugene planning initiatives, including the Climate & Energy Action Plan, Envision Eugene, and the Diversity and Equity Strategic Plan. She suggested the grant was an opportunity to integrate that work with some of the other planning efforts in the region and leverage additional resources. She cited the Regional Transportation Plan, Regional Prosperity and Economic Development Plan, and the Eugene-Springfield Consolidated Plan as examples of those planning efforts.

Grants Manager Stephanie Jennings led the council through a PowerPoint presentation that provided additional information about the Partnership for Sustainable Communities and the funding available through the program. The presentation summarized the goals of the Lane Livability Consortium, which were to review existing plans and identify gaps and opportunities for linkages, and to create tools and resources for advancing existing plans in ways that leveraged multiple benefits. The presentation listed the partners in the consortium and described the allocation of funding.

Planning Director Lisa Gardner emphasized the competitive nature of the grant application process and the fact Eugene was one of very few west coast communities to receive a Sustainable Communities Grant. She invited questions and comments.

Mayor Piercy suggested the grant provided the City with an opportunity to move several of its planning efforts to the implementation phase.

Mr. Clark said economic conditions meant the City needed to work better with its regional partners. He pointed out the City was already involved in several regional problem-solving efforts, such as the Area

Commission on Transportation. He was unclear about the value of the grant and suggested it would fund research into additional grant opportunities that would lead to more things that did not produce as tangible a benefit as he hoped for. He asked what concrete products that participation in the consortium would provide for the City, outside of greater opportunities for cooperation. Mr. Clark also asked for information about the consortium's place in the governance structure and its relationship to regional decision-making organizations and the decision-making structures already in place. He determined from Assistant City Manager Medary that the City's commitment of staff time was limited to eligible activities that staff had already budgeted for and planned to do. Assistant City Manager Medary said the work Ms. Jennings already was doing, for example, could be counted toward the match.

Mr. Farr determined from Assistant City Manager Medary that Eugene's share of the \$1.45 million grant was \$52,000 and that LCOG would receive the majority of the grant funding as that agency was doing most of the work involved. She said the amount being received by the City of Eugene was in line with the funding to be received by Springfield.

Mr. Brown asked for clarification of Task 7.5, "Defining Our Region." Project Manager Andrea Riner of LCOG noted the many regional boundaries that existed in Lane County, which added to the challenge of determining what jurisdictions should be involved in various planning efforts. She anticipated that staff would inventory those boundaries to determine if "there were efficiencies we could look at." Mr. Brown asked if that information would be provided to HUD to clarify what region was involved. Ms. Riner anticipated that the information would be shared with the participating agencies, which would meet HUD's requirements.

Mr. Zelenka arrived.

Mayor Piercy pointed out that the draft MOU stated that the consortium members would ensure regional discussions occurred within the current governance framework. She believed that the partnership was being set up to respect and to employ the existing government framework. She further pointed out that the MOU referred to the consortium as an advisory body intended to provide assistance to partner agencies as and when requested.

Mr. Clark asked how the effort was different than the abandoned Region 2050 planning effort. Ms. Gardner recalled that Region 2050 was a planning framework focused on identifying regional priorities. The proposed partnership assumed that work had been done. She believed the partnership was an opportunity to leverage existing planning efforts to the next level. Ms. Gardner also pointed out that the federal funding approach had shifted to a new model that was no longer single-objective; instead, grant opportunities were multi-objective, such as the TIGER grant and Sustainable Communities grant. She believed that if Eugene could continue to be seen as an innovative city that gets things done it would be in better position for future funding opportunities, which she envisioned would translate to large capital projects.

Responding to a question from Mr. Farr about the allocation of grant funds, Ms. Gardner pointed out LCOG would be working on commonly identified objectives on behalf of all the partners.

Mayor Piercy observed that Oregon's two senators were watching the process closely because the program was promoted as a way for smaller communities to get more federal resources. She believed they were looking to Eugene to be successful and to be a model for other jurisdictions.

**B. WORK SESSION:
City Council Process Session**

City Manager's Office Division Manager Keli Osborn reviewed proposed changes to the City Council's operating agreements. She indicated that with the council's approval, staff would return with a resolution to memorialize the changes proposed to sections 1.05 (Public Forum), 1.06 (Public Hearings), 1.07 (Executive Sessions), 3.04 (Committee Reports and Items from Mayor, City Council, and City Manager), 6.03 (Standing Advisory Bodies to the Council), and 7.02 (Other Meeting Guidelines).

Mr. Pryor arrived.

There was general council support for revising Section 1.05 to indicate that by council majority vote, time-sensitive issues could be moved up in the agenda order before hearing from all wishing to speak in the Public Forum. In addition, the council supported revising the agreements to reflect the current practice of allowing all speakers, rather than limiting the Public Forum to 60 minutes, and not shuffling the "Request to Speak" forms. Section 1.06 was revised to reflect the current practice of public hearings occurring on the third Monday evening of the month. Section 1.07 was changed to show that Council supervises three employees. Sections 3.04 and 6.03 were also updated, and Section 7.02 was revised to confirm the three-minutes-per-speaker limit for each councilor during rounds.

Community Relations Manager Jan Bohman of the City Manager's Office solicited council comments on the reports provided to it by the Public Service Officer. Councilors expressed general satisfaction with the reports.

The council then discussed the practical effect of a motion related to pending legislation that failed to receive a second during meetings of the Council Committee on Intergovernmental Relations. Ms. Taylor advocated for delay in City lobbying activities on such legislation pending action on it by the full council. She suggested that alternatively, all committee motions could receive a courtesy second.

Mr. Clark pointed out that if the committee delayed action on all such motions, it would require considerable time at the council level to discuss and vote on the many bills involved. The committee had changed the ground rules to stipulate that the staff recommendation on a bill would prevail in such instances until the bill went before the full council, at which time it could be pulled for further discussion. He supported that change because it avoided a situation that allowed one councilor to dictate the City's actions by stalling its position on a bill.

Mayor Piercy suggested that such bills be flagged as not having a unanimous position. Mr. Zelenka supported that approach. He acknowledged that the staff recommendation would continue to stand until that point.

Mr. Clark also supported the mayor's suggestion. Mayor Piercy determined there was general support.

The council then discussed a proposal by Mr. Clark to say the Pledge of Allegiance at regular council meetings. Ms. Osborn called the council's attention to a list of other jurisdictions and their practices.

Mr. Clark advocated for recital of the Pledge as a means of uniting the council and of recognizing the values of more traditional members of the community.

Councilors discussed issues, including: reciting the Pledge should be voluntary rather than mandatory; a lack of participation could be falsely interpreted as a lack of patriotism; some residents did not identify

with the Pledge of Allegiance, which could mean council meetings would be less welcoming and inclusive for those individuals; saying the Pledge would not feel like a choice if it was an agenda item; those who refused to participate might be ridiculed by others; recital of the Pledge had the potential to be a rote action and people might not think about what it meant when they said it; people had been persecuted in the past for failure to say the Pledge; residents such as agnostics and atheists could object to the phrase “. . . under God” in the Pledge; and those with certain religious convictions were precluded by those convictions from saying the Pledge.

Mr. Zelenka enlarged on a proposal first offered by Mayor Piercy, which was that the council would recite the pledge at special meetings, such as those closest to Veterans Day, Memorial Day, Flag Day, and the Fourth of July. He suggested the council could invite organizations such as the Veterans of Foreign Wars and the Boy Scouts to participate.

Mr. Poling suggested the State of the City was another opportunity to recite the Pledge.

Mr. Clark emphasized that his intent was that reciting the Pledge be voluntary. He was willing to support the compromise proposal voiced by Mr. Zelenka.

Mr. Brown saw no connection between the process session and the proposal to recite the Pledge of Allegiance at council meetings. He said the Pledge had been divisive in American politics throughout its whole history. There were multiple legal challenges to the recital, and federal courts had ruled that the required recital of the Pledge violated the First and Fourteenth amendments.

Mr. Zelenka suggested that he work with Mr. Clark to craft a proposal for the council that incorporated the comments made by various councilors.

Mr. Clark, seconded by Mr. Farr, moved to recite the Pledge of Allegiance at the council meetings closest to Veterans Day, Memorial Day, Flag Day, and the Fourth of July as well as the State of the City.

Mr. Zelenka moved to table the item.

With the concurrence of his second, Mr. Farr, Mr. Clark withdrew his motion.

Emergency Program Manager Joe Rizzi and Safety/Loss Control Environmental Manager Craig Sorseth provided the council with a briefing regarding the actions people should take in the case of earthquakes.

Mayor Piercy adjourned the meeting at 7:17 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

June 22, 2011
Noon

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

COUNCILORS ABSENT: Andrea Ortiz.

Her Honor Mayor Kitty Piercy called the June 22, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Next Steps for City Hall**

Central Services Director Kristi Hammitt and Mike Penwell of Facilities Management Division were present for the item. Ms. Hammitt reminded the council of the work session it held on the topic of City Hall on March 16, 2011, and the direction the council gave the manager to move forward with transition planning to move services currently located at City Hall out of the building by June 30, 2012, and to develop planning process for a phased approach to a new City Hall.

Mr. Penwell provided an update on recent staff activities related to the council's March 16 direction. He reminded the council that with the relocation of the Eugene Police Department (EPD) to 300 Country Club Road early in 2012, the City will have completed its goal of removing all public safety functions from the building. That accomplishment brought the City Council closer to the point of finalizing its decisions about City Hall, including how to accomplish the first phase of construction for a new city hall with only \$10 million. Mr. Penwell suggested the only viable options available for that amount were to demolish City Hall and construct a new city hall in phases, or do a major renovation of City Hall.

Mr. Penwell recalled council support for new construction for a fully consolidated city hall, including the EPD. Because of a lack of funding for such an approach, Mr. Penwell recommended the council instead consider what the first phase of new construction would look like on the existing full block-site and how the remainder of the site could be used pending future phases.

Mr. Penwell observed that a renovated City Hall could look far different from the existing structure and staff proposed to explore how far \$10 million would go toward addressing its functional deficiencies and aging systems.

Mr. Penwell called the council's attention to Attachment A in the meeting packet, *Proposed Plan for City Hall Decisions*, which provided a timeline for major tasks associated with the next steps in city hall planning. He proposed the formation of an advisory committee to work with staff and anticipated that the committee's recommendations would be ready in time for the Eugene Celebration, where they would be

shared with the public. Mr. Penwell also called attention to Attachment B, *Potential City Hall Funding Sources*.

Mayor Piercy reminded the public that the City had moved public safety services out of City Hall because of the higher seismic standards that existed for those uses. The City had relocated its first responders to sites that would survive in an emergency and allow them to continue to serve the community.

Mayor Piercy suggested renovating City Hall would be costly because the building was not energy efficient and its design was inadequate for the current use. In addition, it would cost quite a bit to preserve the structure's architectural features.

Ms. Taylor said she had been concerned for many years that the City was not maintaining City Hall. She believed it would be a beautiful building if it was renovated, an action she supported. She asked why staff proposed to arrange for space for existing City Hall occupants to move to before the council decided what to do about City Hall. She suggested the council should have a plan in place and a timeline for action before anything was done in that regard. Mr. Penwell reminded Ms. Taylor that the driver for such decisions had been and continued to be the Eugene Water & Electric Board's (EWEB) decision to cease steam heat downtown. The City was at the point where it had to move out because it would not be able to renovate the building in time to meet EWEB's deadlines. He anticipated the City would have a plan in place by the time staff moved out in spring 2012.

Ms. Taylor was glad to see staff was considering both renovation and new construction. While she generally supported citizen advisory committees she expressed a desire for a more diverse committee that included equal representation from those who favored new construction and those who favored renovation. She anticipated such an effort would give the council a more balanced picture of the issues. She wanted to know who staff was considering for membership before it formed the committee.

In response to Ms. Taylor's comments, Ms. Hammitt anticipated the committee would include people who were knowledgeable about such projects and site development rather than advocates for a particular point of view. Ms. Taylor believed the committee should reflect the differences of opinion about what to do with the building. She also believed the committee should include people familiar with Eugene city government and the history of the building.

Mayor Piercy asked if the advisory committee was expected to advise staff on the issue of renovation versus new construction. Mr. Penwell said staff was not necessarily looking for consensus on the topic from the committee but was seeking a wide range of opinions. He anticipated the committee would provide staff with a range of perspectives to help uncover the issues related to both approaches. Mayor Piercy suggested that staff focus the committee on the programmatic elements of the issue as opposed to renovation or new construction, and that it be clear about the committee's mission to avoid the perception that a decision had already been made.

Mr. Zelenka anticipated the cost of renovating of City Hall would be substantial. The building was not energy-efficient, it needed a new HVAC system, and it was seismically vulnerable. He supported construction of a new city hall.

Mr. Zelenka suggested the potential that the City could work with a private developer to construct a new city hall using a lease with an option to buy approach. Ms. Hammitt said she had explored that alternative. She suggested that cities adopted such strategies when they lacked funding, but the City did have some money. She interpreted Mr. Zelenka's remarks as implying it would be more optimal to complete City Hall at one time rather than in phases, and said staff could explore that approach before

returning to the council in the fall with more information. Mr. Zelenka pointed out \$10 million could not purchase much in terms of new building but it might be able to leverage construction. He wanted to see more analysis of his suggestion. City Manager Jon Ruiz said staff would return with more financial information after it had a better sense of the programming to be located in a new city hall.

Mr. Poling suggested it would have been interesting to see what the design studio would have come up with had it not been limited to renovation of the existing building. He approved of the proposed advisory committee and thought its purpose was clear. He suggested it should include someone familiar with the American with Disabilities Act (ADA), an employee, a local historian who could help incorporate elements of the current City Hall into a new building design, and someone with a proven background in building design and energy efficiency. He preferred a committee that included members without a strong opinion on renovation or new construction.

Mr. Pryor emphasized the need for the City to vacate City Hall. In regard to the advisory committee, his most important criteria for committee membership would be thoughtfulness and an open mind. He did not want a committee with members who came to the table with their minds made up. He acknowledged that the City had been discussing the issue for some time but things had changed and he was encouraged by the City's more realistic approach to the replacement of City Hall.

Mr. Clark was interested in Mr. Zelenka's idea about leveraging the money the City had in hand. However, he would want the council to be clear about the problem it was attempting to fix and whether it was a political problem or a financing problem. He feared that if the council attempted something too grand it would end up with a political problem.

Speaking to Mr. Poling's suggestions for committee membership, Mr. Clark pointed out members of the City's Accessibility Committee were familiar with the ADA.

Mayor Piercy encouraged staff to ask the Historic Review Board for its input.

Ms. Taylor agreed with the mayor. She asked that the advisory committee's minority opinions be shared with the council as well as the majority opinions. She thought that it was a good idea to involve employees.

Ms. Taylor said that resident Otto Poticha also had ideas about how the City could remodel the existing City Hall while still remaining in the building. She recalled that many of the architects who participated at all-day charette on a new city hall held in 2002 at The Atrium believed the City could remodel City Hall, but when the council received the staff recommendation that fact was not mentioned. Mr. Penwell recalled that all the ideas that were mentioned at the charette were included in the final report.

Ms. Taylor thought the proposed funding sources sounded good. She recommended that the City dedicate the General Capital Transfer to City Hall for several years rather than one year because the structure had been neglected for some time. She suggested the City consider grants as a funding source to preserve the building because there were several grant sources dedicated to such purposes. She also recommended staff consider using the EWEB Contribution-in-Lieu-of-Taxes (CILT) as a funding source.

Mr. Zelenka likened the proposed advisory committee to a department advisory committee with a specific focus and short time frame that required knowledgeable members. He did not object to the proposed committee and its composition.

Mr. Zelenka cautioned councilors against believing that remodeling was cheaper than new construction. That was not always the case. He believed that remodeling City Hall would mean rebuilding City Hall. He did not think remodeling was the most cost-effective approach and did not think the building was sufficiently historically significant to preserve. Mr. Zelenka also advocated for the City to lead in regard to green construction, and called for a new city hall that was a net zero building for energy, water, and waste.

Mayor Piercy wanted the council to consider the historic value of the building and have a robust conversation about what that meant in terms of what the City was trying to achieve in regard to energy savings and sustainability. She did not know what was possible in that regard, but was unwilling to discard the possibility the City could achieve both Ms. Taylor and Mr. Zelenka's goals.

**B. EXECUTIVE SESSION:
Pursuant to Oregon Revised Statute 192.660(2)(i)**

In accordance with Oregon Revised Statute 192.660(2)(i), the council met in executive session.

**C. WORK SESSION:
Police Auditor Annual Performance Review**

Performance Development Manager Denise Smith was present for the item.

Police Auditor Mark Gissiner thanked the council for the opportunity to serve the community of Eugene. He also thanked his staff and recognized its hard work. He invited councilors to call him at any time with questions.

Mr. Gissiner believed that Eugene was looked to as a model for police auditing systems across the country and even the world. He commended the designers of the system. He also commended the work of the Civilian Review Board (CRB).

Mr. Gissiner noted Mr. Zelenka's past support for a mediation model, and suggested that over time the City's police sergeants had turned into mediators. That led to increased community satisfaction with communications and auditor outcomes. He appreciated the fact that the sergeants, who were the first-line supervisors in the department, had assumed that role and worked to mediate issues with citizens.

Mr. Gissiner noted his work with the University of Oregon on a police oversight model, which had strengthened his relations with that institution.

Mayor Piercy expressed her appreciation for Mr. Gissiner's service on behalf of Eugene. She appreciated his regular meetings with her and his updates. She also appreciated his commitment to excellence and his work to increase the community's expectations of how the public safety system should work. She also commended his hiring of Deputy Police Auditor Leia Pitcher.

Mayor Piercy recommended that the Police Auditor find more avenues for citizen input.

Mayor Piercy hoped Mr. Gissiner kept the council informed of ways it could assist him. She concluded by hoping Mr. Gissiner continued to work to build community confidence in the office.

Referring to the performance evaluation form employed in the evaluation, Ms. Taylor questioned when “successful” became the lowest rating. Ms. Smith recalled the council adopted the rating system.

Ms. Taylor said it was difficult to evaluate the auditor in the absence of input from the complainants. She wanted to know if the complainants thought the system was working and hoped to see that information for Mr. Gissiner’s next evaluation. Ms. Taylor suggested the Police Auditor’s Office had suffered from the loss of the different points of view expressed by the former Deputy Auditor. She suggested it was good to have another point of view, even if one did not agree, and felt disadvantaged by the loss of that input as well as the loss of the input from former CRB member Rick Brissenden.

In response to Ms. Taylor’s concerns, Mr. Gissiner indicated that the survey responses had been summarized in the evaluation and in the future he would include all the surveys that were returned by complainants.

Mr. Pryor commended Mr. Gissiner’s ethics and integrity. He thought those attributes made it possible for Mr. Gissiner to build on the foundation that had been in place. He believed the office had finally reached a level of stability that he attributed to the efforts of Mr. Gissiner.

Mr. Pryor asked Mr. Gissiner if he hired his deputies for their points of view. Mr. Gissiner said he was persuaded to hire Ms. Pitcher because of her work at the Washington Court of Appeals. He did not hire people for their points of view and noted that he and Ms. Pitcher did not always agree.

Mr. Farr suggested the increase in complaints experienced by the Police Auditor’s Office was a positive thing in that it demonstrated more public trust in the system, which led more people to make complaints. He commended Mr. Gissiner’s work.

Mr. Zelenka believed that Mr. Gissiner had done an excellent job, was professional, and his ethics were beyond reproach. The Police Auditor’s Office had gone from being controversy to “business as usual.” He found Mr. Gissiner to be independent and objective. He appreciated Mr. Gissiner’s emphasis on training and customer service. He also commended the hiring of Ms. Pitcher as he believed her legal expertise was needed by the auditor’s office. Mr. Zelenka said Mr. Gissiner kept the council informed of events in a timely fashion. His recommendations were reasonable, thought-out, and fair. The CRB appeared to be well-supported and well-informed.

At Mr. Zelenka’s request, Ms. Smith reviewed the survey process used to solicit feedback from citizens as well as complainants and indicated staff would work on ways to increase the response rate. Mr. Zelenka suggested the survey results be placed in a separate section of the evaluation.

Mr. Zelenka said he would like to see the auditor do more community outreach to discuss the work of the office.

Mr. Clark said the purpose of the auditors’ office was to improve community-police relations and he thought that Mr. Gissiner had accomplished that. He said Mr. Gissiner’s high standards inspired high standards in others. Because of the work of the auditor, police sergeants had come to understand they had more of a role in educating officers about appropriate behavior. Mr. Clark also commended Mr. Gissiner for enhancing communications between the Police Auditor’s Office, CRB, and Police Commission. He said that Mr. Gissiner frequently brought policy issues to the commission for resolution.

Mr. Poling believed that Eugene was fortunate to have Mr. Gissiner as its Police Auditor. His previous experience in such positions showed. He had turned a frequently controversial program into a program

that was very seldom in the news. Mr. Gissiner had built a strong platform of trust for the community, the CRB, Police Commission, EPD, and the police union. Mr. Poling expressed appreciation for Mr. Gissiner's hard work.

Mr. Pryor agreed with Ms. Taylor about the use of "successful" in the rating system. He suggested "unsatisfactory" or "unsuccessful" be added to the form.

Speaking to the mayor's invitation to ask the council for help, Mr. Gissiner briefly noted the challenge created by existing Oregon laws that limited the release of information and acknowledged the challenge of changing those laws. Mayor Piercy recommended that Mr. Gissiner work with the Council Committee on Intergovernmental Relations on changes the City could proposed to the State legislature.

Mayor Piercy adjourned the meeting at 1:20 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

June 27, 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 June 27, 2011, work session of the Eugene City Council to order.

A. ITEMS AND COMMITTEE REPORTS

Ms. Taylor reported that the KLCC Garden Tour had been wonderful. The tour included Mayor Piercy's garden, which was a wonderful place to retreat and relax after a council meeting. She had attended the Lane Workforce Partnership board meeting, which was largely concerned with the budget.

Ms. Taylor recalled that several years ago the council adopted an ordinance prohibiting dogs on certain streets in the west campus area. At that time, several University of Oregon employees had objected because they wished to have their dogs for protection when they worked late at night but would not be able to walk home on those streets. She had opposed the ordinance then and continued to oppose it. She questioned if the public was even aware the ordinance existed.

Ms. Taylor, seconded by Mr. Brown, moved to direct the City Manager to schedule a public hearing.

Mr. Farr, seconded by Mr. Poling, moved to postpone the motion to the second meeting in July.

Mr. Farr suggested the council schedule a work session on the topic. After a brief discussion regarding the appropriate timing for the motion and recognition of the fact the motion merely moved the item forward to a public hearing, Mr. Farr withdrew his motion with the assent of Mr. Poling.

The motion passed unanimously.

Mr. Clark recalled the council's recent discussion of his proposal that the Pledge of Allegiance be recited at council meetings. He said he had revised his original proposal by dropping the State of the City event from the meetings at which the pledge would be said based on input from the mayor and Mr. Zelenka.

Mr. Clark, seconded by Mr. Poling, moved that the Eugene City Council begin its formal council meetings with a voluntary recitation of the Pledge of Allegiance at those council meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July.

Mr. Clark recalled that he had initially wanted to observe the Pledge of Allegiance at all council meetings. He did not think he could get majority support for that proposal and was willing to compromise on what he had considered a reasonable proposal.

Mr. Zelenka arrived at the meeting.

Mr. Farr, seconded by Mr. Clark, moved to amend the motion to read that the Eugene City Council begin its formal council meetings with a voluntary recitation of the Pledge of Allegiance at all regular council meetings as defined by the City Charter.

Mr. Clark said he seconded the motion because it reflected his original intent, but he acknowledged it was unlikely to pass.

The amendment to the motion failed, 5:3; Mr. Poling, Mr. Clark, and Mr. Farr voting yes.

Mr. Farr, seconded by Mr. Poling, moved to amend the motion with the following: “And that the United States Flag and Flag of the State of Oregon be displayed at all council meetings obtaining a council quorum as defined by the City Charter.”

Mr. Clark indicated the input he received from Mayor Piercy and Mr. Zelenka was that the council did not have the authority to require anything at the State of the City because that agenda for that event was under the mayor’s purview. He asked City Attorney Glenn Klein for input. City Attorney Klein indicated would have to get back to the council because he did not know the answer to the question. Mayor Piercy said it was her experience that the arrangements around the State of the City were within her purview.

Mr. Farr reworded his amendment as follows:

Mr. Farr, seconded by Mr. Poling, moved to amend the motion with the following: “And that the United States Flag and Flag of the State of Oregon be displayed at all council meetings obtaining a council quorum with the exception of the State of the City address.”

Mr. Brown suggested the discussion was moving away from council process to ceremonial minutiae, and he questioned if that was a good use of the council’s time.

Mr. Pryor had no objection to displaying a flag in the council meeting room. However, he was unsure about tying that activity to a quorum. Mr. Farr suggested tying it to a voting meeting. Mr. Pryor questioned the meaning of that and asked City Attorney Klein for input. City Attorney Klein pointed out the council had authority to vote whenever it met. Mr. Farr restated the motion:

Mr. Farr, seconded by Mr. Clark, moved to amend the motion to state that the US Flag and Flag of the State of Oregon would be displayed when the City Council met in the McNutt Room.

Mr. Zelenka did not think it was a bad idea to have a flag in the McNutt Room but did not support the amendment because he had an alternative proposal of his own.

The amendment to the motion failed, 5:3; Mr. Poling, Mr. Clark, and Mr. Farr voting yes.

Ms. Ortiz appreciated Mr. Clark’s attempt to offer the council a compromise.

Speaking to the proposal to be put forth by Mr. Zelenka, Ms. Ortiz suggested the proposal be modified by retaining the current starting time for meetings at 7:30 p.m. and allowing people to sign up to testify five minutes past the current cut-off. She also liked the idea of involving various community groups in the readings. She envisioned the ceremony would be an event that brought people together. Mr. Clark said he would be willing to modify his motion to include the participation of a group or groups in the celebration. Ms. Ortiz suggested that the proposal be modified to indicate the mayor may, rather than shall, invite a group or groups to participate. Mr. Clark agreed.

Mr. Brown appreciated Mr. Zelenka's attempts to modify what he considered a terrible idea. He said the proposal had not united the council; instead, he believed it had been divisive, as demonstrated by the e-mails the council was receiving.

Mr. Brown suggested that over time, the rationale for Mr. Clark's proposal had changed. At the process session he had learned that supposedly, Eugene really liked to celebrate weird things, like the Eugene Celebration, which he had previously thought was just a party for all of Eugene. Then he learned that there were people who did not like to celebrate weird things, although none had ever appeared at a public forum or sent e-mails demanding that the City provide them with activities they liked and could participate in. He termed the rationale that somehow the proposal would satisfy those residents' needs as "fairly fantastic." Mr. Brown suggested that some of the people who lived in New Orleans did not like Mardi Gras. The whole notion that something was needed for the "non-weird" was strange to him. He did not see how the proposal would improve the operation of council meetings or help the council work on the community's problems.

Mr. Zelenka suggested that the original thought behind Mr. Clark's proposal was to celebrate the country and flag. As he considered the four holidays in question, it seemed odd to focus on the Pledge of Allegiance on the Fourth of July when that holiday celebrated the Declaration of Independence. He suggested that rather than recite the pledge at that time, the council have a reading from the Declaration of Independence or United States Constitution. He asked Mr. Clark if he was willing to accept that as a friendly amendment to the motion.

Mr. Clark declined to accept the proposal as a friendly amendment. He believed the proposal was quite different from his original proposal, which he already had compromised on. He said the rationale cited by Mr. Zelenka was not the reason for his proposal. He suggested that such readings could be incorporated to the ceremony over time but did not want to modify the motion.

Mr. Zelenka, seconded by Mr. Brown, moved to amend the motion to indicate that at the council meeting closest to the Fourth of July holiday the ceremony shall instead include readings from the Declaration of Independence and United States Constitution.

Responding to a question from Ms. Ortiz, Mr. Zelenka said he did not object to doing both the pledge and a reading.

Mr. Clark said he had not made the proposal to celebrate the country, although that was a valid and good thing to do. He offered the proposal because there was, from his perspective, a large segment of the community who valued the pledge and found it to be a normal and healthy thing for the council to do. Such values were often met with hostility, leaving those residents feeling apart. He agreed there were residents of New Orleans who did not like Mardi Gras but when they lived there, they had to tolerate it. Mr. Clark recalled attending the Eugene Celebration Parade with his young children and being challenged to explain certain parade entries to them and had found it offensive he did not have a choice not to. However, he had to tolerate that because that was the community he lived in. Tolerating differences was an important part of that community. There were many people in the community who wanted to see the

council respect their values by observing the pledge at the beginning of meanings. He said to a certain degree, the matter had become an issue of tolerance for him. He was asking that those with a different set of values “have a seat at the table, too.”

Mayor Piercy suggested that statements about differences in the community made it less likely the council found something to agree on. She hoped the council could find a positive way to support the different points of view around the table and produce something that did not denigrate anyone’s position.

Ms. Taylor believed the council was wasting its time talking about the subject. The council was elected to do the City’s business, and the Pledge of Allegiance was not part of that, nor was an extensive discussion of who was right or wrong. She asked if the council should read the Communist Manifesto if it had to do something to satisfy anyone. There were probably lots of things that people would like the council to read or say. She could possibly support the reading of the Declaration of Independence on the Fourth of July because many people were unaware of its contents and the reading might help educate them. She believed the council should forget about the subject.

Mr. Brown said that the council kept hearing about the people who wanted the council to say the Pledge of Allegiance but he wondered why the council only heard about them second-hand from Mr. Clark. He believed it was poor practice to base public policy on rumor, innuendo, and uncorroborated second-hand statements.

Mr. Zelenka restated the amendment as follows:

Mr. Zelenka, seconded by Mr. Brown, moved to amend the motion to indicate that at the council meeting closest to the Fourth of July the ceremony will also include readings from the Declaration of Independence and United States Constitution.

The amendment was accepted by Mr. Clark and Mr. Poling as a friendly amendment to the motion with the modification suggested by Ms. Ortiz.

The motion passed, 6:2; Ms. Taylor and Mr. Brown voting no.

Ms. Ortiz acknowledged the retirement of resident Wayne Watkins from the Bethel School Board. The council thanked Mr. Watkins for his service with a round of applause.

Because the scheduled end time for the agenda item had passed, Mayor Piercy moved the council to the next scheduled agenda item.

**B. WORK SESSION:
Ward Redistricting**

The council was joined by Keli Osborn of the City Manager’s Office and Jason Dedrick of the Planning Division. Ms. Osborn and Mr. Dedrick described the public outreach that occurred since the last council work session on the subject in April 2011. Mr. Dedrick called the council’s attention to Attachment B, *Summary—Feedback on Ward Redistricting Criteria*, which included the public input gathered by staff. He briefly noted some of the feedback staff received.

Ms. Osborn indicated that the census block data being used by staff was available on request to anyone who wished to see it. She anticipated that after the council’s adoption of criteria, staff would return in

late July with two or more redistricting scenarios that attempted to show different ways to meet the criteria. Staff would then seek public input on those scenarios.

Mr. Dedrick reviewed the manager's recommendation for the criteria proposed by staff to assist the council in the development of ward boundary scenarios:

- A population difference of three percent, plus or minus, among wards;
- Work with 2010 United States Census and do not assume potential growth;
- Develop scenarios without consideration of protecting incumbent elected officials;
- Develop scenarios that consider geographic and neighborhood features, and strive for relative compactness and contiguity, without rigid adherence to those characteristics; and
- Provide demographic information with scenarios to support consideration of potential impacts.

Councilors asked questions clarifying the information provided. Councilors were generally supportive of the proposed criteria with the exception of item 3, related to incumbency, suggesting it be modified as neither "protecting nor punishing" incumbents. Mr. Zelenka pointed out that Eugene Water & Electric Board commissioners were also affected by redistricting and recommended that redistricting occur with the goal of avoiding unnecessary disruption through what he characterized as "tweaks." Mr. Poling, Mr. Clark, Mayor Piercy, Mr. Farr, and Ms. Taylor expressed concurrence.

Mr. Brown expressed interest in seeing census data for the decades between 1980 and 1990 and 1990 and 2000, suggesting that might help the council identify any trends related to faster growth in wards 6 and 8 and allow it to make a modest adjustment to recognize that impact.

Mr. Poling emphasized the importance of completing the process by the time candidates must file. Ms. Ortiz wanted to ensure that neighborhoods of lower socio-economic status were not broken up.

Ms. Taylor, seconded by Mr. Brown, moved to accept the City Manager's recommended criteria for developing ward scenario options, with the exception of bullet 3. The motion passed unanimously, 8:0.

Ms. Osborn determined that the council wished to see the alternative scenarios before they were presented to the public.

Mayor Piercy recognized the time remaining in the meeting and returned the council to Item A.

A. ITEMS AND COMMITTEE REPORTS

Mr. Farr also acknowledged the contributions of Wayne Watkins and said he would be missed.

Mayor Piercy noted the pending retirement of long-time School District 4J Superintendent of Schools George Russell and expressed appreciation for all his contributions.

Mr. Poling noted the pending retirement of Lane Transit District General Manager Mark Pangborn and further noted the pending retirements of Captain Steve Swenson and Lieutenant Mike Gilbert of the Eugene Police Department.

Mr. Poling announced that Richard Rowles was the new chair of the board of directors of Travel Lane County. The organization's annual photography contest had begun, and information could be found on its Web site. He noted that Travel Lane County also periodically sponsored Family Days, and information on those events was also on the Web site.

Ms. Ortiz said she had attended the recent National Association of Latino Elected and Appointed Officials in San Antonio, Texas, where participants heard from speakers that included Texas Governor Richard Perry, Secretary of the Interior Henry Cisneros.

Ms. Ortiz reported she had recently spoken to families from rural Oregon with children coming to the University of Oregon.

Ms. Ortiz reported that she had tabled with Mr. Farr at the "We Are Bethel" event and had the opportunity to speak to many residents. She also attended the recent Public Safety Coordinating Council meeting, where the main topic of discussion was public safety funding. She was subsequently pleased to learn that the Board of County Commissioners had reinstated funding for Sponsors. She regretted that she had to miss the "Celebrate Trainsong" neighborhood event.

Mr. Clark said he and Mr. Poling continued to meet with residents of the Cal Young neighborhood on reorganizing the existing neighborhood association into several smaller associations.

Mr. Pryor said the Housing Policy Board would meet on June 29 to review the applications for the next affordable housing project.

Mr. Brown reported that he participated in a recent clean-up at Civic Stadium. Much work had been done. School District 4J had provided a dump truck and participants completely filled it. Mr. Brown believed a few more such clean-ups would greatly improve the state of the grounds, particularly if participants could use power tools.

Ms. Taylor said the Lane Workforce Partnership would hold its annual awards lunch on August 25 at the Valley River Center. She encouraged councilors to attend.

Mr. Zelenka said he had attended the most recent Sustainability Commission meeting. The commission was developing its work plan and would soon hold the second part of a two-part retreat.

Mr. Farr thanked Human Rights and Equity Manager Raquel Wells for her outstanding performance.

Mayor Piercy reminded the council that the Jinju Sister City delegation would be in Eugene on July 10-13. She encouraged councilors to spend time with members of the delegation.

Mayor Piercy reported she had spoken to participants at the Eugene Police Assistance League summer camp and attended the kick-off event for the "Summer in the City" series.

Mr. Poling said he attended the Metro Class 14 recruit graduation for the Eugene-Springfield Fire Department on June 10. He reported that one of the graduating recruits, Jessie Bishop, had a father who currently worked for the department and his grandfather had retired from the department. Another graduate, Ryan Charbonneau, was the son of Sergeant Rich Charbonneau of the Springfield Police Department.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - May 18, 2011, Work Session
 - May 23, 2011, Work Session
 - May 23, 2011, Regular Meeting
 - June 13, 2011, Regular Meeting
 - June 16, 2011, Boards and Commissions Interviews
- B. Approval of Tentative Working Agenda**
- C. Adoption of Resolution 5034 Approving a Low-Income Rental housing Property Tax Exemption for the Property Located at 3057 Willakenzie Road, Eugene, Oregon (Metropolitan Affordable Housing, Corporation/Applicant**
- D. Adoption of Resolution 5035 Authorizing Suballocation or Transfer of Qualified Energy Conservation Bonds for Lane Community College**

Ms. Taylor, seconded by Mr. Brown, moved to approve the items on the Consent Calendar.

Mr. Zelenka pulled items C and D.

The motion, without items C and D, passed unanimously, 8:0.

Mr. Zelenka commended the Willakenzie Crossing project as being a particularly good project that should be recognized and celebrated.

Ms. Taylor, seconded by Mr. Brown, moved to approve item C. The motion passed unanimously, 8:0.

Mr. Zelenka believed that Item D represented another step toward getting the Sears “pit” filled and suggested that should also be celebrated.

Ms. Taylor, seconded by Mr. Brown, moved to approve item D. The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting at 6:37 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

June 29, 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 June 29, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Envision Eugene**

The council was joined by Shawn Boles, Richard Duncan, Mia Nelson, and Sue Prichard of the Technical Resource Group's (TRG) Partially Vacant Lands Committee. Ed McMahon, Barbara Mitchell, and Laura Potter of the TRG were also present.

Planning Director Lisa Gardner and planners Heather O'Donnell, and Jason Dedrick led the council through a PowerPoint presentation entitled *Envision Eugene: Project Update for Eugene City Council, June 29, 2011*. The presentation provided details about the City's plan to accommodate future single-family development, and included information about anticipated growth, community demographic factors, and housing trends that affected how much land the City needed for single-family development.

The presentation also included information about the current housing mix and the housing mix recommendations of consultant EcoNorthwest and the Housing Mix Subgroup, and highlighted key issues related to the amount of single-family housing need that would be monitored by staff in the future as the plan was implemented. The presentation detailed the process used to establish the capacity for single-family development that existed inside the urban growth boundary (UGB) and the assumptions behind the process. The presentation also detailed the process used to identify the capacity for single-family housing that existed on partially vacant lands, specifically the capacity that existed on the 4,500 lots in Eugene that were less than one acre in size. The presentation described efficiency measures that were proposed to help accommodate more single-family houses inside the UGB than were currently allowed and suggested land redesignation as another possible approach toward increasing the amount of single-family land inside the boundary.

The presentation also included data about the range of need and the number of units that could be satisfied through vacant land, partially vacant land, efficiency strategies, and land redesignation, indicating that 4,460 additional single-family houses could be accommodated within the UGB. The presentation detailed a formula used to translate housing demand into acreage need and concluded with a schedule of upcoming open houses and council work sessions on the subject of single-family housing.

Ms. Gardner emphasized the complexity of determining the land need for the anticipated housing mix. She encouraged the council to keep in mind the human scale and how the information in the presentation translated into the community's every day experiences and values.

Mr. Boles reported the TRG anticipated it would complete its work on the housing mix before July 27. He said the Spreadsheet Committee was working on Pillar 7 of Envision Eugene related to implementation and monitoring and would commence that work by considering the consequences of the efficiency measures related to the housing mix.

Ms. Prichard anticipated that the TRG would provide the council with factual and unbiased information that allowed it to make good decisions for the community. She acknowledged there were sometimes conflicts between members' values and the facts, leaving the council with hard decisions to make. She agreed with Ms. Gardner about the complexity of the topic and hoped the quality of the TRG's information helped the council move forward with less controversy.

Ms. Nelson said the Partially Vacant Lands Committee had approached its analysis of partially vacant lots less than one acre from a value-neutral point of view, and considered the task an inventory process. The land in question was not inventoried through ECLA, and there were thousands of acres involved. Ms. Nelson reported that the committee had extrapolated the estimated capacity for development on lands that were dimensionally capable of being divided using existing zoning and the past rate of development. She acknowledged that the committee lacked time to do a thorough analysis and members frequently found such properties were developed in a manner that precluded additional development. Ms. Nelson concluded that further analysis of the existing capacity would require an aerial lot-by-lot examination and recommended the City perform such an inventory.

Mr. Duncan said the committee felt comfortable about its recommendations for lots less than one acre because they were largely located in existing neighborhoods and past rates of development indicated a lesser impact on those neighborhoods.

Mr. Duncan discussed the Partially Vacant Lands Committee's work to determine the capacity that existed on lots over one acre in size. He reported that the committee had approached the issue on the basis of what redevelopment could actually occur on such parcels. The committee had no rate of redevelopment to apply given the few examples of redevelopment that existed. He acknowledged that in some cases, there would be resistance to redevelopment or natural resources that precluded redevelopment of such lots and it might be necessary to adjust the capacity ratio to recognize the fact many would not be redeveloped for various reasons. He estimated the 400 lots encompassed 660 acres of land.

Speaking to the subject of housing unit costs, Mayor Piercy suggested the community had a problem with housing affordability as well as jobs and wage levels and those subjects were intertwined. She also believed that the community needed to accept that student housing was a permanent thing and the questions to ask was how much should be provided and where should it be located to ensure continued neighborhood livability.

Mayor Piercy suggested that staff approach Eugene's neighboring communities to discuss how Eugene's decisions regarding growth impacted them and how they related to the growth decisions made by those communities. She also supported the proposed examination of the possible redesignation of lands zoned for higher density uses to accommodate single-family housing.

Mayor Piercy determined from Mr. Dedrick that schools were included in the land inventory and staff had worked with the two school districts to identify surplus property that would be available for other uses. Mr. Dedrick anticipated that other surplus sites would be added to the inventory over time.

Mr. Farr commended the work of the TRG and on behalf of the community, thanked members for their efforts.

Mr. Clark also thanked the TRG members and staff. He determined from City Attorney Emily Jerome that State law did not specifically identify the type of protections the City was contemplating for swales and drainageways in the River Road/Santa Clara area although it allowed that protection to occur. She anticipated staff would be looking the issue more carefully to determine how State law would allow the City to consider different densities for different areas with the constraints contemplated.

Mr. Clark asked if the City could be faulted for counting such lands toward the inventory while precluding construction on them because of the presence of swales and drainageways. Ms. Jerome said that staff was keeping that issue in mind. The protections applied to such facilities were considered in the densities assigned in those areas. Ms. Gardner suggested that the issues of concern to Mr. Clark would be addressed through the refinement planning proposed for River Road/Santa Clara. She anticipated the City would develop a tool kit that included such things as cluster development to provide protections for natural features.

Speaking to the partially vacant lands issue, Mr. Clark asked why a market analysis was not part of the committee's review. Ms. Nelson said the committee was merely providing an inventory of potentially buildable lands for additional housing. Such an analysis was not a factor in that effort. She acknowledged the committee had some discretion in determining the factors that supported the inclusion of a site in the inventory. Ms. Gardner said State law gave the community that discretion. She said that City staff worked continually to keep the State up to date on what Eugene was contemplating and to determine what flexibility that existed in the project.

Ms. Gardner noted that Ms. Prichard and Ms. Nelson had recently accepted the Land Conservation and Development Commission's Star Award on behalf of Eugene for the public involvement done for Envision Eugene.

Mr. Duncan pointed out to Mr. Clark that the State law required the City to deal with capacity, not the likelihood of development. He emphasized the importance of the monitoring called for in Pillar 7 of Envision Eugene to ensure sufficient capacity existed. He anticipated that the City would be able to predict the effect of new policies and regulations on the supply.

Mr. Farr left the meeting.

Ms. Jerome indicated that State law gave the City considerable latitude in regard to redevelopable land and supported the direction the TRG had taken.

Mr. Clark asked if the monitoring that occurred through Pillar 7 would also include monitoring of regional impact. Ms. Gardner said that City staff had discussed doing so with the Land Conservation and Development Commission.

Responding to a question from Mr. Clark, Ms. Gardner confirmed that the State was comfortable with a range in the housing mix ratio if the City could support it with data. Mr. Clark asked if the City was

constrained by the range. Ms. Gardner suggested the constraint lay in how defensible the City's findings were.

Responding to a question from Mr. Brown, Ms. Gardner said staff proposed to examine the potential of redesignation to ensure that land inside the UGB was being used as efficiently as possible. In addition, the examination could potentially also permit Eugene to encourage multi-family development to be located where it could be served most efficiently by the transportation system. Mr. Brown determined from Ms. Gardner that there the City would have to add more single-family land at either end of the range. Ms. O'Donnell said staff would have a better idea of the need when the partially vacant lands analysis was completed.

Mr. Pryor thanked the TRG members for their work in reconciling the tensions between the different pillars of Envision Eugene, which he attributed to their willingness to work collaboratively. He encouraged the TRG to take the time it needed to do the job right. He expressed confidence in the outcome of the TRG's work.

Mr. Zelenka agreed with Mr. Pryor's remarks. He noted the council's receipt of testimony from the Housing Policy Board arguing for multi-family housing on the basis it was more affordable. Mr. Zelenka expressed his concurrence with the testimony offered by the Sustainability Commission regarding the housing mix.

Mr. Duncan anticipated the TRG would do more examination of the application of mixed-use strategies along transit corridors. He also hoped to present the council with some ideas about affordable housing.

Ms. Nelson suggested that when the Partially Vacant Lands Committee completed its work the City issue maps reflecting its recommendations to the community and collect additional input for the committee to consider before it forwarded its final recommendations to the council. She also recommended the council not confuse the inventory with the policy choices facing it. Redesignation could make some land available for single-family dwelling but could also result in some lands never being developed.

Mayor Piercy expressed appreciation for the process. She hoped the community recognized the collaborative effort that was taking place. She commended the work of the TRG and staff.

**B. WORK SESSION:
Number of Dogs Permitted Per Household**

The council was joined by Permit Review Manager Mike McKerrow, who provided a brief history of the City's regulatory efforts related to the number of dogs that residents could keep. Land Use Supervisor Katherine Kappa contrasted the City's regulations regarding dogs and dog-related nuisances to the regulations in other communities and emphasized most complaints regarding dog behavior. She noted that the City had received more complaints about dogs when the number of dogs was limited to two than it had now that the number of dogs was limited to three.

Councilors discussed possible changes to the City's dog regulations and agreed that any additional conversation should be about nuisance enforcement and the noise ordinance rather than the number of dogs allowed. Assistant City Manager Sarah Medary said staff would provide the council with a memorandum regarding the current status of enforcement efforts. The council could review that information and determine next steps.

Mayor Piercy adjourned the meeting at 1:20 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

July 11, 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 July 11, 2011, work session of the Eugene City Council to order.

A. ACTION: Police Auditor Compensation

The council was joined by Police Auditor Mark Gissiner. Human Resources Director Alana Holmes and Compensation Specialist Denise Smith were also present for the item.

Ms. Smith recalled the council's June 22 evaluation of Mr. Gissiner's performance as Police Auditor. The council was being asked to consider his compensation at this meeting. Ms. Smith asked the council to consider a Cost of Living Adjustment (COLA) for Mr. Gissiner as well as a step increase. She noted that Mr. Gissiner was currently at Step 4 of a six-step compensation schedule.

Mayor Piercy solicited council questions and comments.

Mr. Brown asked about the average Cost of Living Adjustment (COLA) for the City's bargaining units. City Manager Jon Ruiz indicated the Eugene Police Employees Association (EPEA) received a COLA of 2.1 percent; the American Federation of State, County, and Municipal Employees (AFSCME) received a COLA of 2 percent; the International Association of Theater and Stage Employees (IATSE) received a COLA of 2 percent; and the International Association of Fire Fighters (IAFF) received no COLA. Mr. Brown concluded that the proposed COLA of 2.05 percent was generally in line with that received by other City employees.

Ms. Taylor, seconded by Mr. Brown, moved to approve a 2.05 percent COLA effective July 1, 2011. The motion passed unanimously, 8:0.

Mr. Zelenka indicated his satisfaction with Mr. Gissiner's work and said he supported a step increase.

Ms. Ortiz also expressed satisfaction with Mr. Gissiner's work and supported a step increase.

Ms. Taylor, seconded by Mr. Brown, moved to adjust the Police Auditor's compensation to Step 5 effective June 29, 2011. The motion passed unanimously, 8:0.

**B. WORK SESSION:
Update on the Pedestrian and Bicycle Master Plan and Transportation System Plan**

The council was joined by Transportation Planning Manager Rob Inerfeld and Senior Transportation Planner Kurt Yeiter of the Public Works Department, who provided a PowerPoint presentation updating the council on the status of the Bicycle and Pedestrian Master Plan (BPMP) and the Transportation System Plan (TSP).

Mr. Inerfeld described the public involvement done for the BPMP, which included the formation of advisory and technical committees, open houses, and a Web site. He overviewed the plan contents, highlighting the proposed capital projects. He noted that many of the capital projects were facility types not previously built in Eugene but were designed in a manner to facilitate bicycle use using physical separation or lesser traveled streets.

Mr. Inerfeld shared examples of some of the facilities contemplated in the plan, which included access ways, bicycle boulevards, buffered bicycle lanes, cycle tracks, shared lane markings or “sharrows,” and grade separated crossings. He reported that the plan also recommended nine feasibility studies of potential bicycle infrastructure improvements as well as some development code revisions.

Mr. Inerfeld concluded the update on the BPMP by reviewing next steps in the process, which included additional outreach and council initiation of an amendment to the TSP to reflect the new capital project list. He invited questions.

Mr. Poling asked about the origins of the projects on the project list. Mr. Inerfeld said the BPMP project list was a product of public input and a “cycle zone” analysis that considered density, topography, and zoning to determine where investments in bicycle infrastructure would most encourage bicycling. Mr. Poling asked if the City would do bicycle traffic counts to evaluate route use. Mr. Inerfeld said yes, adding that the City counted bicycles each spring using volunteers, and he hoped to do such counts in the fall as well. Staff was also looking into ways to automate the counts using counters integrated into the infrastructure.

Mr. Poling asked if there would be community education on the proper use of sharrows. Mr. Inerfeld said yes. He noted that lanes were designed to show cyclists where to best position themselves on the road. He did not anticipate sharrows would be installed on streets with a high volume of traffic.

Mayor Piercy encouraged staff to provide information about sharrows to the media.

Mr. Brown asked where sharrows would be installed. Mr. Inerfeld said projects included Broadway and Willamette Street through downtown and High Street north of 5th Avenue. Mr. Brown suggested that education about sharrows should be directed at motorists as he believed bicyclists would quickly grasp how the facilities worked.

Ms. Ortiz observed that none of the examples of bicycle infrastructure improvements shared by staff were in the Whiteaker or Trainsong neighborhoods where bicycle use was extensive. She asked staff to consider a connection from the Bethel area via Barger Drive to the bicycle path on Bethel Drive. Ms. Ortiz hoped the bicycle improvements for Blair Boulevard were built soon.

Ms. Ortiz said Maxwell Road included a bicycle facility but it was frequently blocked by parked vehicles. Additionally, the bicycle lane was very narrow as it traveled over the Maxwell Road overcrossing at the railroad tracks. She encouraged staff to consider improvements in such areas, where bicycles were less

used and where such improvements might encourage bicycling. Mr. Inerfeld said staff proposed bicycle improvements on North Park Avenue in recognition of how challenging it was to bicycle through that area. He said there were many improvements proposed for the areas mentioned by Ms. Ortiz.

Mayor Piercy encouraged staff to provide the council with a more focused look at the facility improvements planned for the Bethel area.

Mr. Farr said the Bethel area was linked to downtown through a bicycle connection from Terry Street, but that connection was out of the way, causing people to use less safe routes such as Highway 99. He acknowledged the improvements that had been made in the area but continued to advocate for better, more direct connections between Bethel and downtown and for improved access for Bethel residents to the Ruth Bascom Riverbank Trail. Mr. Inerfeld assured Mr. Farr that staff attempted to create a bicycle network for the entire city; the challenge was getting the system funded and built.

Mr. Farr noted the challenge of reaching downtown from the Bethel area by either car or bicycle and advocated for improved access for all modes.

Responding to a question from Mr. Zelenka, Mr. Inerfeld said that the American Community Survey indicated that Eugene had the highest percentage of bicycle commuters (about 11 percent) in the country.

Mr. Zelenka asked about plans to improve connectivity to the Laurel Hill Valley and if there was a way to access the river across the railroad tracks in that area. Mr. Inerfeld reported there was a proposed project that followed the alignment of the I-5 off-ramp to the Laurel Hill Valley as well as a proposed path at the south end of the valley to connect to the Lane Community College basin. In addition, ODOT planned to widen the sidewalk on the south side of Franklin Boulevard between Walnut Street and Judkins Point. He said the Oregon Department of Transportation looked into that possibility of river access in conjunction with the I-5/Willamette River Bridge and found there was insufficient clearance to create a path.

Mr. Zelenka suggested the frontage road would be a good opportunity for a separated lane due to the high speed vehicles traveled when leaving the freeway.

Responding to a question from Mr. Zelenka, Mr. Inerfeld said the City was using green thermoplastic paint markings to draw motorists' attention to conflict zones where bicyclists had the right-of-way.

Mr. Zelenka asked the percentage breakdown for spending on bicycle and pedestrian improvements. Mr. Inerfeld did not have that information with him but said he could provide it. He asked if Mr. Zelenka was referring to discretionary dollars. Mr. Zelenka suggested the information would be most useful at the metropolitan planning organization level, although he was also interested in the City's expenditures. He recalled that the City Council directed five percent of the street preservation bond to bicycle facilities. Mr. Inerfeld said some street preservation projects funded by the bond included striping for bicycle paths where previously there had been none. He cited 1st Avenue as an example.

Mr. Zelenka called staff's attention to a conflict area where the bicycle path crossed 19th Avenue at High Street.

Ms. Taylor asked what the City was doing in regard to bicycle theft, which was a serious problem. Mr. Inerfeld said the City offered bicycle registration to help track stolen bicycles for recovery and education on how to properly lock a bicycle.

Responding to a question from Ms. Taylor, Mr. Inerfeld did not think the intersection at 12th Avenue and Willamette Street was identified as a conflict area in the plan. Ms. Taylor suggested vehicles traveling down Willamette Street should be made to stop for bicyclists entering the crosswalk at that intersection. Mr. Inerfeld said vehicles were not required to stop for bicyclists in crosswalks unless the bicyclist was traveling at pedestrian speed. He acknowledged that the law was somewhat ambiguous in regard to how vehicles and bicycles should interact in crosswalks, which added to the challenge of knowing what signage to employ to create safe crossings. Ms. Taylor suggested a stop sign for vehicular traffic was in order.

Ms. Taylor asked if staff was looking to create connections to places where the bicycle path was signed as ending. Mr. Inerfeld said the City attempted to provide alternate routes at such locations. Ms. Taylor suggested that travel down West 11th Avenue had become more challenging for bicyclists because of “bus only” signs. Mr. Inerfeld said that the area was restriped and green thermoplastic paint was used to mark conflict areas. Staff had received positive feedback about the markings.

Responding to a question from Ms. Taylor, Mr. Inerfeld said a separated bicycle lane was proposed for Coburg Road from the Ferry Street Bridge area to Harlow Road, but the right-of-way was limited on Coburg Road and that would be exacerbated when EmX was added to the road. He anticipated that bicyclists would be able to use bicycle boulevards on nearby parallel routes.

Ms. Taylor advocated for more community education about the rights of pedestrians and bicyclists. Mr. Inerfeld indicated such education was called for in the administratively adopted Pedestrian and Bicycle Strategic Plan.

At the behest of Mr. Farr, Mr. Inerfeld shared information about proposed bicycle and pedestrian projects affecting the Bethel area.

Mr. Yeiter continued the presentation by discussing the Transportation System Plan. He anticipated the plan would be adopted at the same time as Envision Eugene and emphasized the interrelationship between those plans as well as regional planning efforts. He described the elements of the two plan phases and provided a brief overview of the Transportation Community Resource Group (TCRG), which advises staff on the plan. Meetings were held monthly and were open to the public and on average, 30-40 residents and business interests attend.

Mr. Yeiter shared the TSP website: www.eugenetsp.org. The web site included project updates, notice of transportation-related meetings, and a resource library. There was also a “conversations” feature on the site that allowed TCRG members to log in and post their suggestions and comments.

Mr. Yeiter discussed the Sustainability Transportation Access Rating System (STARS), a program developed in Portland to evaluate transportation planning through a sustainability filter. He anticipated Eugene would be a test case for the rating system. Mr. Yeiter invited questions.

Responding to a question from Mr. Clark about the relationship between the Lane Livability Consortium work program and the City’s transportation planning work program, Mr. Yeiter said the programs were not yet fully coordinated. The TSP work program was established before the community received the grant establishing the consortium. He suggested the programs had the same goal, to determine what a sustainable transportation system would look like, but the intersection between them was not yet defined. Mr. Yeiter noted that Andrea Riner of Lane Council of Governments, the lead staff for the consortium, was also a member of the City’s TSP project management team, which added to the coordination between efforts.

Mr. Clark asked if strategies that emerged from the Lane Livability Consortium would go through a different process than the standard transportation planning process. Mr. Inerfeld thought the work of the consortium was intended to inform local planning processes. He reported staff was looking for opportunities to revise the consortium work plan to better complement City efforts. Mr. Inerfeld said it was possible consortium funding could be used to underwrite some of the STARS analysis, for example.

Mr. Clark said he heard concerns that the consortium would develop strategies the City would be mandated to implement whether or not it had the funding. Mr. Inerfeld was unaware of any consortium work plan items that would lead to adoption of specific deliverables; the work plan spoke more to how the region could coordinate better on sustainability and what tools it could develop to help it work more effectively across different planning areas.

Ms. Ortiz emphasized the poor condition of Highway 99 for pedestrians and bicyclists. She said it was important for the City to take care of the facilities already in place before it added new capacity.

Ms. Ortiz expressed concern that the narrow roads in new residential areas in some parts of the community were insufficiently wide to safely accommodate traffic. She acknowledged the cost of land, but said such streets needed to be functional.

Mr. Zelenka expressed dismay that ODOT proposed to include pedestrian facilities on the Highway 99 overcrossing but ODOT had no plans to connect those facilities. Mr. Inerfeld said City staff continued to seek funding opportunities for those improvements, but it was difficult to secure funding in the amount needed.

Mr. Pryor spoke of the challenge of creating a linkage between transportation and land use planning and the heightened public interest in that linkage because of concerns regarding growth. He wanted the City to be as thoughtful and deliberate as possible in its planning efforts, but he did not think that the increased linkage would make the discussion any easier; many people would want to be involved in the discussion because of what was at stake. Mr. Yeiter suggested that the City could learn from communities such as Portland and take advantage of the tools they had developed.

Mr. Farr expressed concern that incorporating more multi-family development in existing neighborhoods to accommodate a higher ratio of multi-family housing would create additional transportation issues.

Mr. Farr asked what transportation improvements were proposed in west Eugene since the West Eugene Parkway was no longer planned for. Mr. Yeiter said that staff would consider some of the recommendations of the West Eugene Collaborative when making recommendations for transportation improvements in west Eugene. Staff would employ data from Envision Eugene to model traffic in west Eugene and develop options for further consideration. STARS would also inform the process. Mr. Yeiter noted that the West Eugene Parkway had been designed to provide better freight access for industrial uses in west Eugene, and the Transportation CRG had emphasized the importance of maintaining good access to Highway 99 and on to Beltline and I-5.

Mr. Farr questioned how the existing infrastructure in west Eugene could accommodate the growth he anticipated would occur there and to the west in Veneta. Mr. Inerfeld suggested that incremental changes could help, such as additional turn lanes and enhanced signal timing. He believed that the addition of EmX to West 11th Avenue would help with traffic flow because buses would no longer stop in the travel lanes and right turns would be prohibited from the through lanes. He further noted that existing plans

called for the addition of a new section of East 13th Avenue between Commerce Street and Bailey Hill Road, which would take pressure off the intersections of West 11th Avenue at Bailey Hill and Bertelsen roads. In addition, the West Eugene Collaborative had recommended improvements to 5th and 7th avenues that would enhance travel on those routes. Mr. Inerfeld acknowledged that the City may not achieve ODOT mobility standards in that area and might need to discuss alternative mobility standards with ODOT.

Mr. Farr suggested if EmX had been directed down Highway 99 the needed bicycle and pedestrian facilities might have followed.

Ms. Ortiz emphasized her concerns about the safety of residents using the Highway 99 overpass.

Mayor Piercy encouraged staff to share information about how people could get engaged in the process with the Area Commission on Transportation and the Metropolitan Policy Committee and its Citizen Advisory Committee.

Mayor Piercy said that ODOT did not foresee any significant funding would be forthcoming from the State for projects; there would be funding for projects that improved system functionality. She suggested the lack of State funding heightened the importance of maximizing City resources.

Mayor Piercy adjourned the meeting at 6:58 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

July 11, 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 July 11, 2011, regular meeting of the Eugene City Council to order.

1. PLEDGE OF ALLEGIANCE AND READING OF THE DECLARATION OF INDEPENDENCE

Those present recited the Pledge of Allegiance. Volunteers from the League of Women Voters offered a reading of the Declaration of Independence.

Mayor Piercy observed that the reading was special to her because her family was directly descended from Thomas Nelson, Jr., a co-signer of the declaration from Virginia.

2. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Kevin Prociw, 1030 Williams Street, acknowledged he had not followed the recent controversy surrounding the recital of the Pledge of Allegiance but suggested it was evidence the community was interested in speech issues. He offered the anti-war and anti-EMX signs posted in town as other evidence of that interest. He encouraged the council to consider such issues with care as he believed the community was making history.

Mr. Prociw advocated for a public vote on EmX. He suggested that such a vote was also a speech issue in its own way and that it was important the council demonstrate to the citizens that it trusted them to make the right choice. He also suggested that the lawsuit against the City over EmX could be ended if the council allowed a public vote.

Mark Callahan, 3621 Mahlon Street, expressed his belief that the councilors opposed to the recital of the Pledge of Allegiance had embarrassed the community. He averred that the community had been more inclusive in the past in spite of political differences. He believed that some councilors who spoke of the importance of inclusiveness chose only to be inclusive if a person thought like they do. Mr. Callahan believed the council should recite the pledge at more meetings. He anticipated that during his upcoming run for President of the United States that he would be asked about the council's action and asked how he could be expected to respond when asked about the council's limited inclusiveness. Mr. Callahan called for a volunteer to say the pledge during the Public Forum during his absence.

Nick Urhausen, 3058 Hawkins Lane, suggested it was both a privilege and a right for people to recite the Pledge of Allegiance. He would not compel anyone to say the pledge but he did not think people had the right not to hear it. It did not take long to say the pledge. Mr. Urhausen pointed out that Eugene was a political entity of the United States whether the community liked it or not. He found it hypocritical that the council had discussed the peace dividend it wished to receive from the same nation that some councilors were reluctant to say the Pledge of Allegiance to.

Mr. Urhausen recalled that the community had voted to fly the flag on Skinner Butte and suggested the council place a measure regarding the pledge on the ballot.

Al Rogers, 528 Kingswood Avenue, did not understand the council's decision to recite the Pledge of Allegiance at only four meetings. He said the pledge contained 31 words and it took only 12 seconds to say it. He expressed concern that those opposed to saying the pledge did not take time to learn the meaning behind the words of the pledge. Mr. Rogers suggested that residents' recognition of the contribution of veterans in combination with the pledge would help local veterans feel more appreciated.

Diane Thurlow, 217 Crest Drive, questioned how Councilor Taylor could compare the voluntary recital of the Pledge of Allegiance with the voluntary reading of the Communist Manifesto and how Councilor Brown could suggest that the pledge should only be said on residents' private property. She suggested that several councilors did not like what the country stood for and sought a "One World Order" where no country had more than any other country. That would require the United States to be destroyed. She maintained such individuals had hijacked the word "progressive" and were using it to justify tax increases and declines in education and moral values. Ms. Thurlow said such individuals discussed diversity but only tolerated those who shared their viewpoint. She asked what about the pledge was divisive. She suggested that the councilors involved were receiving a lot of quality from the nation they were reluctant to pledge allegiance to.

Ms. Thurlow maintained that Mayor Piercy was affiliated with the organization "Code Pink," an anti-Israeli organization that sponsored the two flotillas attempted to break Israeli's Gaza blockade, which was established to prevent arms smuggling. Code Pink worked hand in hand with former members of the Weather Underground on such missions. She characterized Mayor Piercy and other members of the council as enemies of the people and urged citizens to speak up and defend the pledge, the original Constitution, the Bill of Rights, the flag, and the values that had made the nation great.

Bob Macherione, 1994 Brewer Street, owner of a business at 6th Avenue and Lincoln Street, suggested that reciting the Pledge of Allegiance did not necessarily make one a good citizen of the community. He respected everyone's right to say the pledge or not. All were citizens of the same country and deserved the same level of respect.

Mr. Macherione said he had not personally expected to have his free speech threatened by anonymous complaints about Sign Code violations and had not expected personal attacks on his opinions from the acting head of Lane Transit District (LTD). He was a member of the public and a taxpayer and was trying to provide some information that he had been told was welcome. If his input to LTD was not valid he wondered whose input was valid. Mr. Macherione intended to return to his message, which was that LTD could give free student passes to everyone because it would not reduce the agency's cost not to do so. He said that LTD had a \$36 million budget and lost \$50,000 monthly, and for that amount was willing to throw 10 percent of its ridership off the bus. Mr. Macherione thought that was wrong. It was improper for a transit system that asserted its own progressiveness to stop that service.

Eugene Drix, 307-1/2 High Street, said he loved being in Eugene and being at council meetings. He expressed appreciation for the work of the council. Drix also expressed appreciation for the recent University of Oregon (UO) graduation ceremony and the efforts that went into making each graduate. Drix noted the UO's nanotechnology research efforts. He also enjoyed the recent Butte to Butte Race. Speaking of the future, Drix suggested it would include new tools, new traditions, new talismans, and new toys to help people meet future challenges. He encouraged people to rethink the obvious and said money was not the key to anything. He believed that more was not always more, democracy was not passive, volunteering was not obvious, ideas that were not yours were not wrong, and Drix was not just for kids, he was just a fun part of Eugene.

James Baptiste, a California resident who sometimes lived in Eugene, was proud to be present at the first meeting at which the council recited the Pledge of Allegiance and commended those who did so, although he observed that Councilor Brown had declined to participate. He did not know why and suggested that Councilor Brown needed to answer that for himself and for his constituents. He thought the pledge was important and while he did not object if Councilor Brown did not want to participate, he hoped he would reconsider.

Mayor Piercy closed the Public Forum. She thanked Mr. Drix for his spirit and for his support of her during the Butte to Butte Race.

Councilor Ortiz expressed her appreciation for the testimony offered during the Public Forum. She understood that some were challenged by the council's decisions but expressed her hope that residents could be respectful of all councilors' choices, which were based on their personal convictions and values. Councilor Ortiz believed the council's decision to institute the pledge was a step in the right direction and she looked forward to welcoming other organizations to join with the council when the pledge was recited.

3. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - May 25, 2011, Work Session
 - May 26, 2011, Joint Elected Officials
- B. Approval of Tentative Working Agenda**

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

Mayor Piercy adjourned the meeting at 8:05 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

July 13, 2011
Noon

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

COUNCILORS ABSENT: Andrea Ortiz, Chris Pryor.

Her Honor Mayor Kitty Piercy called the July 13, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Items and Committee Reports**

Mr. Poling encouraged residents to visit the Web site for Travel Lane County, which listed various events occurring throughout the county.

Mr. Farr reported the Human Rights Commission (HRC) was on hiatus while it worked on the Listening Project, which was an effort to redefine the commission's work. He commended the manager for initiating the project. He said the commission had conducted several Listening Circles. Mr. Farr anticipated the HRC's annual report would be provided to the council soon. He noted that several new commissioners had joined the HRC, including former Community Development Director Richie Weinman, now retired.

Mr. Farr also reported that Human Rights Commissioner Ken Neubeck had attended the Human Rights City International event and had produced a full report that Mr. Farr would share with the council. He noted the recent resignation of Commissioner Melissa Mona and the departure of Human Rights Analyst Holly LeMasurier. He commended the work of Human Rights and Equity Manager Raquel Wells.

Mr. Farr announced Eugene Pride Day on August 13 from noon to 7 p.m. at Alton Baker Park.

Mr. Zelenka reported that the Metropolitan Planning Committee (MPC) was working on the Regional Transportation Plan (RTP), which was scheduled to be completed before the end of 2011. He reviewed the funding sources that paid for local transportation projects and noted some of the projects submitted by MPC member jurisdictions for State and federal funding.

Mr. Zelenka announced the open house for the draft State Transportation Improvement Plan (STIP) scheduled later that day at the Oregon Department of Transportation (ODOT) offices in Springfield. There were 64 projects on the STIP list, including several Eugene projects. He noted that MPC was also completing work on its Title VI Plan, which was out for public review.

Mr. Zelenka reminded the council that House Bill 2001, the Oregon Jobs and Transportation Act, required the local metropolitan area to do greenhouse gas scenario planning. In addition, Senate Bill 1059 moved that scenario planning forward by creating a plan for greenhouse gas reduction efforts. The State proposed a 20 percent reduction in greenhouse gases with the vast majority of the reductions to come from actions taken on the technology side, like more efficient vehicles and low-carbon fuels. Mr. Zelenka anticipated there would be a need for local land use and transportation policies as well and reported that the State had produced a toolkit to inform that process.

Mayor Piercy briefly reported on the recently formed Area Commission on Transportation (ACT), which included representatives of other Lane County cities as well as metropolitan and special interest representatives. The ACT advised the Oregon Transportation Committee on transportation funding. The members of the ACT had been appointed and the ACT was working on its public participation approach. She was the current co-chair of the ACT and Mayor Bob Hooker of Creswell was the chair.

Ms. Taylor announced the August 25 Lane Workforce Partnership awards lunch. Springfield School District Superintendent Nancy Golden would be the keynote speaker. She reported that the partnership's federal funding had been reduced but the agency continued to provide job training services to local workers. The center was located at 2510 Oakmont Way and residents could secure assistance with résumé preparation and other job-related skills.

Mr. Zelenka reported on the work of Sustainability Commission. He first commended the work of Sustainability Liaison Babe O'Sullivan and Climate and Energy Analyst Matt McRae. He announced that commissioners Lisa Arkin, Teresa Brand, Josh Bruce, and Will Shaver were leaving the commission and new commissioners were joining the commission. The commission had held one work planning retreat and would hold a second retreat on July 16. Mr. Zelenka briefly reviewed the commission's recent agenda items and public outreach efforts and emphasized the close tie between many of the staff and commission work plan items and the City's Climate & Energy Action Plan.

Mr. Zelenka reported that the Eugene Water & Electric Board (EWEB) was working on its Integrated Energy Resource Plan and suggested the council track that effort due to the plan's relationship to the City's Climate & Energy Action Plan. He requested staff updates on the IERP process and anticipated the IERP would be a subject of discussion at the council's upcoming joint meeting with the EWEB commissioners. He also felt it was important to include the item on the Sustainability Commission's work plan and determined there was no council objection to that.

Mayor Piercy shared the ceremonial Millennium Drum that had been presented to Eugene by the Chinju, Korea, Sister City Delegation. She thanked the Sister City Foundation for its work in hosting the delegation. She emphasized the contributions that sister city relationships made toward peace and shared knowledge. She noted that two students from Eugene were leaving for Chinju that day.

Mr. Poling shared the dates of some summer events sponsored by the Harlow Neighborhood Association meeting. He thanked the North Park Community Church for its interest in association activities. Mr. Poling also reminded residents of the ongoing road construction on Coburg Road and thanked Public Works for the overlay on Sandy Drive. He noted the upcoming Broiler Festival in Springfield.

Ms. Taylor shared the National League of Cities Planning Guide for Civic Engagement with Immigrant Communities with the council.

Mayor Piercy reported that she had addressed the Humphries Fellows at the UO earlier that day. The fellows came from all over the world to the UO to learn better English before attending universities

throughout the United States. The fellows had told her they loved being in Eugene and had expressed their appreciation for the welcome they had received from the community.

City Manager Jon Ruiz reported he had met with the new School District 4J Superintendent of Schools Shelley Berman the previous day and welcomed Mr. Berman to Eugene. He also reported that the City held an open house regarding 20-minute neighborhoods earlier in the week and it went very well. City Manager Ruiz reminded the council of the “Summer in the City” event scheduled that night. He thanked Health and Fitness Director Steve Auferoth for coordinating the City Manager’s Activity Challenge, occurring during the month of July.

Mayor Piercy commended the City’s Web site, in particular the Eugene Counts Dashboard.

**B. WORK SESSION:
Kaufman Center**

Design/Construction Section Manager Mike Penwell and Acting Recreation Services Director Craig Smith joined the council for the item. Library, Recreation, and Cultural Services Director Renee Grube, Acting Facilities Director Myrnie Daut, and Senior Real Property Officer Russ Royer were also present.

Mr. Smith provided the council with a short history of the Trude Kaufman Center and an update on the center’s current condition and status. He explained that in January 2011 Cascade Solutions had vacated the lease and moved its services to another location. The center had been mothballed since that time. It cost the City \$20,000 annually to maintain it in that status; that cost was paid out of the Kaufman Trust Fund.

Continuing the presentation, Mr. Penwell provided information on the cost of renovating the structure, which he estimated at \$150,000 to \$200,000 if the building was in residential use; renovating the structure for institutional use would be significantly higher. He noted that the structure was the subject of the S-HK Historic Kaufman House Special Area Zone, which prohibited partition or subdivision of the property and required any landscaping or building alterations to comply with the approval criteria found in Eugene Code 9.817. The City could sell the house or use it for another purpose.

Mr. Smith indicated the Recreation Division could not find a use for the center and would seek input from other departments and the relevant neighborhood associations on the future use of the property.

Councilors asked questions clarifying the details of the presentation but had no objection to the staff recommendation to seek input from other departments and the neighborhood associations on the use of the property.

Mayor Piercy adjourned the meeting at 1:11 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

July 20, 2011
Noon

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

COUNCILORS ABSENT: Pat Farr.

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

**A. EXECUTIVE SESSION:
Pursuant to Oregon Revised Statute 192.660(2)(i)**

In accordance with Oregon Revised Statute 192.660(2)(i), the council met in executive session.

**B. WORK SESSION:
City Manager Evaluation**

Human Resources Manager Alana Holmes and Performance Development Manager Denise Smith were present for the item. Ms. Smith reviewed the council packet materials for the item, which included City Manager Jon Ruiz's self-evaluation; survey data collected from community members, members of the union leadership, and City employees; individual council evaluations; and a calculation of the manager's compensation.

City Manager Ruiz said it had been a productive year for the City organization. He commended the quality of City staff and looked forward to working on some challenging issues with the council and staff. He thanked the council for its guidance and input.

Mayor Piercy recognized the manager's ability to work with many different people to help achieve their goals. She appreciated his ability to foster staff growth, which added to the council's confidence in the work of staff. She appreciated his problem-solving ability and his follow-up. She also appreciated the professionalism of his work with her, and his care for the health and well-being of City staff.

In regard to the future, Mayor Piercy hoped the organization continued to work on economic stability and economic development that fit the community's values. She emphasized the importance of family-wage job creation.

Mayor Piercy looked forward to working with the manager in the future, saying that all parties were stronger when they worked together. She thanked the manager for his service.

Mr. Poling thanked City Manager Ruiz for declining his merit increase. He believed his action spoke to the manager's caliber and demonstrated his dedication to saving the organization money.

Mr. Poling said City Manager Ruiz did a good job keeping the council informed of emerging issues. He appreciated the manager's ability to work with the leadership of other jurisdictions and emphasized its value to the organization. Mr. Poling noted that City Manager Ruiz had recently led the Budget Committee through a challenging budget process and had worked with committee members and staff to develop creative solutions to budget shortfalls.

Mr. Poling believed that City Manager Ruiz had proved repeatedly he was an organizational leader. The manager continually challenged staff to come up with creative way to deliver services and save money. Mr. Poling suggested that sometimes the manager took constructive criticism too personally but he always managed to continue on and carry out the council's direction in a positive way.

Mr. Poling concluded by saying Eugene was fortunate to have City Manager Ruiz. He could not say enough about the work that City Manager Ruiz had done for the council. He thanked him for his work.

Mr. Zelenka also thanked City Manager Ruiz for declining his merit increase. He deserved the increase but Mr. Zelenka respected his decision. He agreed with Mr. Poling that Eugene was fortunate to have City Manager Ruiz. He said the manager had established a good, competent management team, and Mr. Zelenka appreciated his calm, can-do attitude, which had permeated throughout the organization. The manager had created an organizational expectation related to problem-solving and success that Mr. Zelenka considered the hallmark of his accomplishments.

Mr. Zelenka emphasized the manager's excellent leadership, particularly in regard to the budget and the Envision Eugene planning process. He believed the manager had led the City toward budget stability and improved customer service while cutting the budget dramatically. He believed that Eugene was heading in the right direction in regard to the Envision Eugene process.

Mr. Zelenka suggested the manager needed to continue to work on improved EPD-community relations, where some progress had been made but more work remained to be done. He also believed more work was needed on the management-AFSCME relationship.

Mr. Zelenka emphasized the importance of infrastructure development, job creation, and business development facilitation, and said those issues would be his focus over the course of the coming year.

Ms. Taylor believed one of the manager's best attributes was his ability to take criticism, which had not been an attribute of past managers. She indicated her major focus was on protecting neighborhood livability and the rights of individuals. She did not think the City could create jobs but it could make it possible for other people to create jobs. Ms. Taylor recalled that the City had worked to relocate Oregon Research Institute in the Sears pit several years ago, and she believed that had City Manager Ruiz been manager at that time the effort would have succeeded. She hoped the City Council's decisions regarding a future city hall did not result in a pit on the site of the current City Hall.

Mr. Pryor believed that City Manager Ruiz was the right person in the right place at the right time. He believed that City Manager Ruiz understood the community quickly and grasped its need for collaborative interaction. That made it easier for the manager to get things done and helped him to interact with the council. Mr. Pryor suggested the City was accomplishing things it could not before, such as filling the downtown pits with new construction and its street preservation efforts. He said the council could take some credit but it could only be as effective as its staff.

Mr. Pryor credited City Manager Ruiz with giving his staff the freedom to be creative and innovative and for not being a micro-manager. He said the council gave the manager freedom to be creative and innovative, leading to an unprecedented nexus that the council needed to take advantage of because it was “here, it’s now, and you’re in place and we’re in place and they’re in place and we can get things done.” He found that incredibly exciting and assured the manager the degree to which he was in the center of that was a real value not only to the council but to the community as a whole. He termed the manager a “gift to Eugene,” and said he deserved the merit increase but City Manager Ruiz was a great enough leader to recognize what the community needed.

Mr. Brown expressed appreciation that the manager and his staff had been able to balance the budget and the City continued to deliver an acceptable level of services. He thought it admirable that City Manager Ruiz rejected his merit increase, which set a tone for the organization, including its bargaining units. Mr. Brown said his only criticism was what he considered the manager’s over-reliance on the mediation services of Bob Chadwick in association with Envision Eugene. However, he acknowledged that the City was in uncharted waters in that regard. Mr. Brown believed that eventually the issues would be sorted out and the City would reach the solution it needed.

Ms. Ortiz agreed with much of what had been said by other councilors. She agreed the manager had set the tone for the organization, which was a powerful thing. She believed staff had risen to the challenge set by the manager. She agreed about the manager’s leadership ability. Speaking to staff development, Ms. Ortiz said that the manager encouraged staff to “try it on” and sometimes a new role fit and sometimes it did not, but it was always a good thing for people to have those experiences. She also recognized the manager’s volunteerism, as evidence by the PSA he did for veterans’ services.

Ms. Ortiz suggested if the manager took criticism personally it was because he was only human, and she identified with that trait. She suggested it was part of the overall experience that the council and manager were having. Ms. Ortiz also appreciated that the manager had declined the merit increase.

Mayor Piercy acknowledged past successes and anticipated future challenges that would require the council to work together. She said the fact the manager seemed to like Eugene and liked living in Eugene meant a lot to her. She interpreted that to mean that he cared about the community, which was also important to her.

Speaking to future challenges, Mayor Piercy believed the City needed to continue to work on homelessness and providing youth with positive things to do.

Mr. Zelenka said health care costs continued to be out of control and he challenged the manager to reduce costs in that area without reducing the services received by employees or forcing them to pay higher costs. He appreciated that the manager had maintained an organizational focus on the Climate & Energy Action Plan and his funding of a Climate and Energy Specialist. Mr. Zelenka expressed appreciation for City Manager Ruiz’s staff empowerment efforts and for his relationship building with the council and the City’s strategic partners. He also commended the manager’s efforts in fostering downtown development and helping to bring several development efforts to fruition.

Ms. Taylor commended the manager’s work with the Arts and Business Alliance.

Ms. Taylor, seconded by Mr. Poling, moved to accept the City Manager’s offer to forego a five percent merit increase. The motion passed unanimously, 6:0; Mr. Clark not yet having arrived at the meeting.

Mayor Piercy expressed appreciation for the work the manager had done to incorporate the Triple Bottom Line (TBL) into council decisions.

**C. WORK SESSION:
Multi-Unit Property Tax Exemption (MUPTE) - Envision Eugene Implementation**

Planning Director Lisa Gardner and Senior Planner Nan Laurence joined the council for the item and provided a PowerPoint presentation entitled “Envision Eugene and MUPTE.” Ms. Gardner placed MUPTE within the context of the Envision Eugene planning process and the two of the Seven Pillars of Envision Eugene, *Promote compact urban development and efficient transportation options* and *Protect, repair, and enhance neighborhood livability*. She envisioned that MUPTE could be used to support Opportunity Siting for denser multi-family development, and emphasized the high level of public involvement associated with the Opportunity Siting process.

Ms. Laurence provided more details on how MUPTE could be used as an implementation tool for Envision Eugene to encourage desired development and shape how the community grew. She reviewed the rules governing MUPTE and shared a brief history of its use in Eugene over the past 30 years.

Ms. Laurence reminded the council that the ordinance that enabled the use of the MUPTE in Eugene expires in January 2012. The State of Oregon recently extended the sunset for all MUPTE programs to 2022. She said the council could modify the boundary of the area to which MUPTE applied if certain criteria were satisfied, including that the new district or area needs to be either a ‘core area’ or ‘transit-oriented area’ (within one-quarter mile of transit) and projects within a transit-oriented area need to facilitate access to public transportation.

Ms. Laurence suggested the pending sunset date had implications for two downtown housing development proposals being contemplated as the developers had indicated the MUPTE was critical for the projects to succeed.

Ms. Laurence noted recent changes in State law that allowed the City to exempt commercial uses to support the development of mixed-use buildings. She suggested that represented an additional tool to encourage mixed-use development downtown on a case-by-case basis, and could be used to support mixed-use as a desired form to development to implement the recommendations of Envision Eugene.

Ms. Laurence anticipated that after the council recess staff would return with a proposed ordinance to extend the sunset date for the Downtown Plan area. She also suggested the possibility that the council would consider extending the use of the MUPTE as one of a range of incentives to help the community realize its goals around development form, character, and density along transit corridors as the City implemented Envision Eugene.

Ms. Gardner reported that the Eugene Planning Commission discussed MUPTE at its most recent meeting and indicated its interest in providing the council with input on where MUPTE was applied in the community.

Mr. Clark arrived during the presentation.

Referring to Attachment D of the Agenda Item Summary (AIS), *MUPTE boundary and Downtown Plan area*, City Manager Jon Ruiz clarified that the map shown on the attachment reflected the staff recommendation for the Core area MUPTE boundaries.

Mayor Piercy solicited council comments and questions.

Ms. Ortiz said she supported the MUPTE as a tool to encourage development where it was needed. However, she no longer supported the use of the MUPTE in the vicinity of the University of Oregon (UO) campus because she believed the area was saturated with multi-use development and it was time to change its appearance.

Ms. Ortiz indicated she did not want to preclude the use of the MUPTE for projects already in process.

Ms. Ortiz determined from City Manager Ruiz that any extension of the MUPTE to the Trainsong neighborhood or any other new area would require a separate council discussion and action. Action on the staff recommendation did not presuppose an outcome for other areas.

Responding to a question from Mayor Piercy, Ms. Laurence did not think that a developer making application for the MUPTE now would be able to secure approval by the end of 2011.

Mayor Piercy reminded the council that it was scheduled to consider a MUPTE application for Alder Park Apartments at 17th Avenue and Alder Street on July 25.

Ms. Taylor indicated a preference for 11th Avenue rather than 13th Avenue as a boundary for the Core area but said she could support the staff recommendation.

Ms. Taylor questioned the concept that developers could not build projects without the MUPTE. She asked what the City would have realized in tax revenues from the houses demolished to make way for new multi-family developments that received the MUPTE. Ms. Laurence did not know. Ms. Taylor thought that was a factor to consider. She also wanted information on the taxes paid by developments after the ten-year exemption expired, and asked if such developments received further exemptions because of depreciation. Ms. Laurence said she would follow-up.

Mr. Zelenka shared Ms. Taylor's interest in quantifying the assessed value of the improvement that was demolished to make way for a new development.

Mr. Zelenka believed that MUPTE was necessary in the Downtown Plan area but he did not feel it was needed any longer in the West University Neighborhood (WUN). The number of units outside the MUPTE boundary that had been constructed in that area far outstripped the number of units built inside the MUPTE boundary.

Mr. Zelenka indicated support for modifying the staff recommendation by adding the Trainsong neighborhood to the Transit Oriented Area. He suggested that discussion of other transit corridors could happen later.

Mr. Zelenka suggested the City's map of 20-minute neighborhoods be overlaid on the map shown on Attachment D.

Mr. Brown said the council was hearing a mixed message about the MUPTE and mixed use in downtown. The council had heard that the MUPTE encouraged mixed-use housing and commercial development

downtown and he agreed that was a good thing, but the council also recently heard that a requirement for mixed-use downtown represented a barrier to development. Developers argued that a requirement for commercial on the ground floor was a detriment to development, but the MUPTE encouraged ground floor commercial development. Ms. Laurence said it was difficult to require ground floor commercial because it represented added costs and it was often challenging for developers to fill the commercial space. It was more expensive to build such projects, so the State modified the MUPTE to allow that portion of the improvement to also be exempted from the property tax.

Mr. Brown advocated for the immediate end of the use of the MUPTE in the University area. He said the MUPTE was intended to foster development that would not otherwise have happened, and the development that was happening in that area would have happened anyway.

Mr. Clark supported extending the downtown MUPTE boundaries and looked forward to a discussion about the use of the MUPTE near the University. He hoped the council remained open-minded pending that discussion. He suggested the MUPTE had value in the University area because it allowed for development that might not otherwise make financial sense. Mr. Clark believed the council needed to consider all the factors involved in the cost of building inside and outside the MUPTE boundaries to better understand whether something was more marketable because of the MUPTE.

Mr. Clark suggested that the MUPTE was also related to the type of development that would be built and whether that development met the City's livability goals. He believed that developments built in that area with the assistance of the MUPTE tended to be better supported by the neighbors and helped create a more livable space. Mr. Clark anticipated that the neighborhood would continue to be developed in a dense fashion but that development would not be high quality if the quality was driven by the market and not incentivized by the City.

Mr. Clark supported the inclusion of the Trainsong neighborhood in the Transit Oriented Area.

Mr. Poling also supported inclusion of the Trainsong neighborhood. He agreed with Mr. Clark's remarks about the application of the MUPTE in the University area. He pointed out that buildings constructed with the assistance of MUPTE included green features and amenities that would not otherwise have been included. In addition, the process included both neighborhood and council input.

Mr. Pryor also agreed about the addition of the Trainsong neighborhood. He appreciated the council's support for the MUPTE as a tool. He suggested the council consider the MUPTE from the standpoint of a return on the city's investment. The MUPTE had an impact on the neighborhood, the quality of the construction, and on future growth patterns. He said all those impacts needed to be considered.

Speaking to the idea that the MUPTE be discontinued near the University, Mr. Pryor said he could support that with the expectation that the council would discuss its applications in other areas throughout the community. He suggested that without financial incentives, construction in that area would be larger in scale and have more impact on the residents. He was concerned that the City Council would create another problem while trying to solve another one. He supported the staff-proposed motion with the expectation more discussion would occur.

Mayor Piercy wanted the council to reach the point where it was able to use the MUPTE more like a scalpel than a hammer and refine it to be more useful in helping the council reach its goals. Speaking to the suggestion that Trainsong could be added at this time, Mayor Piercy believed the council had time for a fuller discussion about the merits of adding the neighborhood before the ordinance sunsetted.

Speaking to Mr. Zelenka's remarks about the construction occurring near the University campus without benefit of the MUPTE, Mayor Piercy said the neighbors believed the existence of the MUPTE encouraged more growth in that neighborhood. She questioned whether such construction would happen anyway and if the MUPTE might improve it, or whether the City would see less construction without the MUPTE.

Mr. Zelenka did not think that the MUPTE necessarily fostered better construction. He believed some of the construction outside the MUPTE boundaries was of higher quality than the construction inside the boundaries. He added that University area residents were less concerned about the quality of construction than they were about such things as on-site supervision, the inclusion of balconies in a development, the inclusion of common areas and open space, and the provision of adequate parking.

Mr. Zelenka requested information about the number of units built both in and out of the MUPTE boundaries in the last three years.

Mr. Zelenka proposed that the City Council consider establishing a tax exemption program to incentive LEED construction of multi-family housing. City Attorney Glenn Klein indicated that only the State could establish a tax exemption program, but the City could establish a tax rebate program for the purposes cited by Mr. Zelenka.

Mr. Zelenka looked forward to discussing the linkage of the MUPTE, LEED, and the City's transit corridors. He anticipated the transit corridors would be important to future development and what the city looked like, so the strategies related to the corridors would be critically important.

Mr. Brown believed the council needed to consider the budget and the fact that the University area was already one of the densest neighborhoods in the community. He thought the City needed to distribute density more to maintain the livability of the neighborhood. Mr. Brown also believed the University needed to take more responsibility for housing University students. That task should not be completely left to private developers.

Mr. Brown supported the retention of the MUPTE in the downtown area. He also supported extending the MUPTE to the Trainsong neighborhood. He suggested the Trainsong boundaries could be extended farther up Highway 99 to support improved development in those areas. He reiterated his support for ending the MUPTE in University neighborhoods.

Mr. Brown did not think that the lack of the MUPTE would result in slums given that developers had to meet the Building Code and other quality construction occurred in the community all the time without benefit of a tax exemption.

Ms. Ortiz did not mind taking more time on the issue of the Trainsong neighborhood and the boundaries for that area. She hoped to see the critical mass of people that lived near campus replicated in downtown and in west Eugene. She believed there was considerable redevelopment potential in those areas that would benefit the community. She suggested the MUPTE boundaries go down 8th and 5th avenues and along both sides of Highway 99.

Mr. Clark did not object to delaying the addition of Trainsong pending more discussion. He continued to believe that the issues of whether and what was built were crucial. He believed the MUPTE affected outcomes in both areas. He wanted a comparison of what was constructed when the MUPTE was not in place between 1996 and 2001 with what was constructed when the MUPTE was available to help answer the question of its impact on construction quality.

Mr. Clark pointed out development was driven by the market rather than the City, and the City could not stop development in the campus area. More students would come to the University in future years and there would be a demand for more housing independent of what the council did. He suggested the question then became what kind of construction occurred. Mr. Clark speculated that more than 2,000 new housing units could be built in the University area over the next 20 years. He believed the council was talking about what type of development would be built and whether residents would have input into what occurred in their neighborhood.

Speaking to Mr. Clark's request for information about what was developed near the University without benefit of the exemption, Mayor Piercy suggested that times had changed so much since the 1990s that the comparison would not be useful.

Mayor Piercy reported that the University planned to house all freshman and sophomores on campus and was in the process of constructing new student housing. She also attributed the large amount of multi-family housing construction in the University area to the fact that the only type of development that could get financed during the recession was student housing. Mayor Piercy suggested the council needed to have a discussion of where student housing should be located and how it could be encouraged.

Ms. Taylor, seconded by Mr. Poling, moved to direct the City Manager to proceed in two phases: 1) prepare an ordinance and hold a public hearing to extend the sunset date for the existing MUPTE boundary area in the Downtown Plan area; and 2) conduct additional work sessions in the fall to discuss other priority areas for council consideration and future action. The motion passed unanimously, 7:0.

Mayor Piercy adjourned the meeting at 1:24 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

July 25, 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 July 25, 2011, work session of the Eugene City Council to order.

A. ITEMS AND COMMITTEE REPORTS

Ms. Ortiz reported that the Board of Directors of the Lane Regional Air Protection Agency (LRAPA) postponed its evaluation of Director Merlin Hough to September because the board had a bare quorum at its July meeting. She noted that former City employee Jeannine Parisi had joined the board and had asked Commissioner Faye Stewart to ask the Board of County Commissioners whether Lane County would be willing to direct the fines imposed by LRAPA to the LRAPA budget rather than to the Lane County budget. That action could require legislative changes because of the manner in which LRAPA was structured.

Mr. Zelenka arrived.

Mr. Brown reported that the Metropolitan Wastewater Management Commission (MWMC) received an update on the poplar plantation at its last meeting. The MWMC had sent a Request for Information (RFI) to 34 wood products businesses in Oregon and Washington to determine their needs with the goal of finding uses for the trees other than pulp, which had a low return. The RFI sought out companies interested in using the materials for another purpose for which there was added value. Mr. Brown concluded by reporting that the MWMC had considered an appeal to a contract award for relining the sludge lagoons from the second low bidder and decided in favor of the low bidder.

Mr. Pryor provided an update on the Sustainable Cities grant, reporting that the Lane Council of Governments (LCOG) used the feedback from those attending the May 26 Joint Elected Officials meeting to refine the Memorandum of Understanding (MOU) establishing the Lane Livability Consortium. Springfield staff presented the revised MOU to the Springfield City Council, which declined to participate. Mr. Pryor acknowledged that put the grant in some jeopardy. He advocated for more discussion about what he believed was the main issue of concern, that of the relationship between LCOG and its other partners. He reported he intended to meet with both elected and executive members of some of the jurisdictions involved in the MOU to learn their perspectives and to discuss with them how the relationship could be improved. Mr. Pryor would share his findings with the LCOG Executive Committee and Board of Directors.

Mayor Piercy reported that the City had reached out to its sister city of Kakegawa after the earthquake in Japan and received a letter from the mayor of Kakegawa thanking the City for its sympathy and indicating

that Kakegawa was undamaged by the earthquake and was providing support to earthquake-affected areas. She shared the contents of the letter.

Mayor Piercy noted that she met the previous week with Lynn Peterson of Governor John Kitzhaber's Office and Oregon Department of Transportation officials regarding rail issues. Reporting on the most recent meeting of the Human Services Commission (HSC), Mayor Piercy said that Ms. Ortiz had offered the HSC a motion to allocate the additional funds made available by Eugene to the Egan Warming Center, shelter beds, and culturally specific services for Latinos. Mayor Piercy had also met with Shelley Berman, the new Superintendent of Schools for the 4J School District, and reported that Superintendent Berman has his hands full with district business. She said she had also attended Carla Geary's "Young Scholars" Program.

Mayor Piercy announced the next Mayor's One-on-One event would occur on July 26 from 5 p.m. to 6 p.m. at the Albertsons on Coburg Road. Mr. Poling also planned to be present.

Ms. Taylor commended the recent free concert of the Eugene Symphony held at the Cuthbert Amphitheater. She appreciated that the City offered such concerts and believed that they brought out people who did not normally attend such events, which helped build audiences for the arts.

Mr. Zelenka reported that the Sustainability Commission held the second part of its two-part retreat and continued to develop its work plan. The commission also held a regular meeting and the main topic was the Eugene Water & Electric Board (EWEB) Integrated Energy Resource Plan (IERP). He anticipated that the council would discuss the IERP with the EWEB commissioners at their joint meeting in September.

Mr. Zelenka noted that the Fairmount Neighbors held an ice cream social at Washburn Park and there was a good turnout in spite of the rain. He reported that the owner of the historic Washburn House had passed away. He praised the Washburn House for its beauty and historic character, and reminded the council that the owner of the house had donated Washburn Park to the City with the caveat that no buildings be placed on it. Mr. Zelenka also commended the recent free concert at the Cuthbert Amphitheater.

Mr. Farr commended the Cuthbert Amphitheater as a performance venue and noted his own attendance at the recent Jethro Tull concert there.

Mr. Farr commended the work of Superintendent Colt Gill at the Bethel School District.

Mr. Farr encouraged residents to visit the reclaimed wetlands area adjacent to Greenhill Road and Royal Avenue to view the wildlife and enjoy the beauty of the wetlands, particularly near sunset. He said Bethel residents wishing to access the bicycle path in the area could reach the wetlands via a bicycle path down Terry Street.

Mr. Poling reminded the council of National Night Out, scheduled for August 2.

Mr. Poling reported that he and resident David Sonnichsen planned to walk from the Alton Baker Boat Ramp east to Leisure Lane to view the section proposed for paving. He requested information about the City's plans for the area and how long they had been in the making.

Mr. Poling reported the Cal Young Neighborhood Association decided to divide into three separate neighborhood associations. He looked forward to meeting with the new groups.

Ms. Ortiz thanked the City of Eugene for the “Fun for All” program being held in City parks and reported that her grandchildren had enjoyed the activities.

Speaking to Mayor Piercy’s report on the HSC, Ms. Ortiz said Eugene representatives were asked to comment on the additional money the City provided, and she was forceful in asserting the money must be spent on services and should not be held in reserve. Additional cuts, if needed, would be made on a percentage basis. Mayor Piercy concurred. She acknowledged that Lane County faced budget shortfalls and expected additional reductions, and County staff wanted to know if Eugene supported holding money in reserve for future needs. The HSC had gone ahead and allocated the funding.

Ms. Ortiz commended a recent article in *The Register-Guard* regarding the migration of Latinos to Lane County. She said she recently spoke to a young doctor of color who indicated she had moved to Eugene from Barbados because Eugene seemed safe, which Ms. Ortiz considered a compliment.

Speaking to the division of the Cal Young Neighborhood Association, Mr. Clark noted that the residents living north of Beltline would be in one organization, residents living south of the Beltline would be in another organization, and residents living west of North Delta Highway would be in a third organization.

City Manager Jon Ruiz recognized the contributions of City employees on the planning team for the new police headquarters at 300 Country Club Road, including Police Chief Pete Kerns, Central Services Director Kristi Hammitt, Design/Construction Section Manager Mike Penwell, and Operations Support Division Manager Lynn Reeves. He believed the community would appreciate the team stewardship on the project. He anticipated the ribbon cutting for the new facility would occur during the first quarter of 2012.

Mayor Piercy reported that the council had received inquiries about whether it would take up a plastic bag ban, as well as an inquiry about the potential of the City assuming control of abandoned properties.

Mr. Zelenka anticipated he would poll the council on a plastic bag ban.

**B. WORK SESSION:
Ward Redistricting**

The council was joined by Keli Osborn of the City Manager’s Office and Jason Dedrick of the Planning and Development Department. Ms. Osborn requested council direction to place the two draft ward scenarios prepared by staff before the public for comment. She noted a public hearing was scheduled for September 19, followed by a council work session on September 26 or September 28, with formal action scheduled for October.

Ms. Osborn recalled that at the last work session on the subject, the council directed staff to prepare draft ward scenarios that considered geographic and neighborhood features, relative compactness and contiguity, and which did not protect or punish incumbent elected officials. The two draft scenarios based on that direction were included in the packet as Attachment C.

Mr. Dedrick highlighted changes to the ward boundaries reflected in the two draft scenarios.

Ms. Osborn provided a brief overview of the public outreach done by the staff team to this point, reporting that residents could request the data underlying the draft scenarios so they could draw their own

boundaries. Staff also planned to provide data on the Web site that allowed people to compare different ward scenarios. That information would be available soon.

While several councilors expressed an inclination for Scenario 1, they expressed general support for forwarding both scenarios to the public.

Ms. Taylor suggested that the entire downtown area should be included in Ward 1. She also thought moving the boundaries of Ward 3 across the Willamette River to include the students living in Ward 4 would be appropriate.

Mr. Zelenka expressed concern that both scenarios exacerbated the impact of the fact that students did not generally vote in local elections. Scenario 2 exacerbated that problem by removing a portion of the Amazon neighborhood with high voter turnout from Ward 3. The number of people would be the same, but the number of voters would be lower. He suggested one way to address the issue would be to retain the Amazon neighborhood in Ward 3, and add the area between Hilyard and Oak streets to Ward 2.

Mr. Zelenka suggested the ward boundaries for wards 4 and 5 should be established with consideration of the new neighborhood association boundaries, which could also require adjustments to the boundaries for Ward 7.

Mr. Clark expressed interest in further discussion of Ms. Taylor's suggestion about downtown and Mr. Zelenka's comments about the boundaries for wards 4 and 5.

Mr. Poling wanted a scenario that affected as few people as possible. He shared Mr. Zelenka's concerns about the number of student voters in Ward 3. He noted that while Ward 4 contained many students, that area of the ward also included some single-family and multi-family development and speculated that the number of people who lived in that area did not turn over as often as the number of people in Ward 3.

Mr. Pryor supported the scenario that presented the least change. He indicated he would resist segregating a particular population in any one ward and thought there was a benefit to having two councilors who needed to think about the needs of the university student population. The same was true for downtown; a downtown divided into two wards meant there were two councilors specifically concerned with downtown issues, although Mr. Pryor believed downtown was of concern to all councilors. He perceived the same advantage in having the River Road/Santa Clara area in two different wards.

Ms. Ortiz supported Mr. Pryor's comments. She liked the use of significant geographic features, such as the river, for ward boundaries, and did not want to see ward boundaries cross such features if that could be avoided.

Mr. Farr expressed interest in Ms. Taylor's suggestion about downtown as he did not see it as segregating any particular population. He preferred to retain the airport in Ward 6 because of the likelihood the urban growth boundary could be expanded in that area to accommodate industrial development. He thought it made sense to retain the airport in Ward 6 for that reason, and pointed out the lack of voters in the area would make that easy to accomplish.

Mr. Clark emphasized the importance of creating boundaries that did not divide communities of common interest. He believed that to the degree the University of Oregon campus area was an area of common interest, it was best not to divide it.

Responding to a question from Mayor Piercy as to how she interpreted the council's input, Ms. Osborn indicated that depending on the council direction, staff would present the two draft scenarios to the public but would begin to prepare some alternate scenarios that reflected the council's feedback.

Mayor Piercy questioned how one could determine which community of interest might predominate in a particular area if more than one such community existed.

Ms. Taylor thought it would be good if each ward could include part of downtown but that was not physically possible and so supported keeping it in one ward. She also believed that the Amazon neighborhood mentioned by Mr. Zelenka should be included in Ward 2 as it had been previously. Ms. Taylor suggested the council should also consider residents' routes of travel to and from their homes in establishing the boundaries.

Ms. Ortiz believed all councilors were committed to serving all parts of the city, not just their own ward. Mr. Pryor concurred.

Mr. Brown was also interested in further council discussion of including downtown in a single ward.

Ms. Taylor, seconded by Mr. Brown, moved to proceed with Option 1 to obtain additional public input on ward boundary scenarios, with council action on final boundaries in early fall. The motion passed unanimously, 8:0.

II. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 8, 2011, Work Session
- June 13, 2011, Work Session
- June 15, 2011, Work Session
- June 20, 2011, Public Hearing
- June 27, 2011, Regular Meeting

B. Approval of Tentative Working Agenda

Ms. Taylor, seconded by Mr. Brown, moved to approve the items on the Consent Calendar. The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

M I N U T E S

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

July 25, 2011
7:30 p.m.

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

COUNCILORS ABSENT: George Brown.

Her Honor Mayor Kitty Piercy called the July 25, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Reverend Will I. Am Winget, 4501 Franklin Boulevard, Space 2, Glenwood, objected to discrimination against medical marijuana and spiritual marijuana. He spoke of the benefits of medical and spiritual marijuana. He contrasted marijuana to tobacco and suggested marijuana was less harmful. He believed he was discriminated against because of his need to drive to transport veterans to and from the hospital; if he smoked marijuana on the first day of the month he could be pulled over anytime within 30 days and charged with driving under the influence. He could not use marijuana as a medicine at public events. People who smoked marijuana on a regular basis frequently had jobs and their behavior was no problem until they challenged the status quo. He noted that when asked, past governors rejected taxes on marijuana as a source of revenue.

Duncan Rhodes, 1005 Lewis Avenue, #1, reported that the Whitaker Community Council Board of Directors voted on July 20 to oppose the closure of the north and south entrances to the fairgrounds and removal of the right-of-way because the entrances served as important connections between the College Hill neighborhood and the Westside and Whiteaker neighborhoods. Mr. Rhodes believed the action was in direct conflict with the triple bottom line and the City's 20-minute neighborhood initiative. He suggested the action would reduce the "eyes on the street" in the fairgrounds area. If the fairgrounds were experiencing crime, the City should increase police patrols and Lane County should improve the lighting at the fairgrounds. Mr. Rhodes reported that several female residents expressed concern about the closures as they would force them to take routes they felt were less safe. He encouraged residents to attend a public hearing on the topic before the Hearings Official on August 17 at 1:30 p.m.

Bob Macherione, 1994 Brewer Street, said the City sent him notice that the sign in front of his business in opposition to EmX violated the City's Sign Code. He maintained the Sign Code was intended to regulate signs for commerce, not signs expressing opinions. His sign was on private property and posed no public hazard. However, the City continued to send him notices. Mr. Macherione believed the City Council should revise the Sign Code to address his concerns and to remove the provision that allowed for anonymous complaints, which he considered unfair. Mr. Macherione quoted Thomas Jefferson: "The

will of the people is the only legitimate foundation of any government, and to protect its expression should be our first object.” He believed that message applied today. He also noted that the Oregon Constitution’s Bill of Rights prohibited laws restricting the freedom of expression. He suggested the City Attorney needed to revisit his opinion on the topic and promised to fight for his right to free speech.

Michael Lambros, 17 East Hillcrest Drive, discussed his concerns about “chem trails,” which he believed were caused by airplanes flying in grid formation that sprayed white lines. While he had contacted several regulatory agencies, he was unable to get an answer to his questions about the trails and did not know if the community should be concerned.

Nathan Fendrich, 2900 Firwood Way, shared an anecdote about his late mother-in-law’s dedication to the United States, saying that she had escaped Nazi Germany in 1936 with nothing and came to the United States. She was an extremely patriotic person, and when she was interviewed about six years ago and asked where she wanted to be buried, she said she wanted to be buried holding the American flag. He suggested that council meetings, because of their purpose as a forum for free speech, were an appropriate venue for the recital of the Pledge of Allegiance.

Mayor Piercy closed the Public Forum and thanked those who offered comment.

Ms. Ortiz thanked those who testified. She asked if the council could provide input regarding the proposed closures at the fairgrounds and indicated she preferred to retain the access that existed. She also thanked Mr. Fendrich for his remarks and commended the program *50 States, 50 Citizens*, which showed the experiences of immigrants.

Speaking to Mr. Macherione’s remarks, Mr. Clark said he would be interested in knowing how the City’s Sign Code differentiated between commercial and political speech. He was also concerned about the City’s acceptance of anonymous complaints given that the Constitution allowed for someone accused of something to face their accuser. He understood that anonymity was intended to protect people against retribution but he had some concerns about it. City Manager Jon Ruiz promised to provide additional information.

Ms. Taylor also questioned why Mr. Macherione’s sign was illegal.

Mayor Piercy said she had the opportunity to meet Mr. Fendrich’s mother-in-law and regretted her passing.

2. CONSENT CALENDAR -- The Consent Calendar was approved at the 5:30 p.m. work session.

Mayor Piercy adjourned the meeting at 7:47 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

July 27, 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 July 27, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Envision Eugene—Single-Family Housing and Industrial Lands**

The council was joined by Technical Resource Group (TRG) members Shawn Boles, Rick Duncan, Mia Nelson, and Sue Prichard. Planning Director Lisa Gardner, Metropolitan/Community Planning Manager Carolyn Weiss, City Attorney Emily Jerome, and Planner Jason Dedrick were also present for the item.

Mr. Dedrick led the council through a PowerPoint presentation entitled *Envision Eugene: Project Update for Eugene City Council, July 27, 2011*. Councilors asked questions clarifying the information presented.

The presentation highlighted the findings of the TRG's Partially Vacant Lands Subcommittee and the impact of the findings on the housing supply and land inventory. Mr. Dedrick indicated that 1,800 to 2,500 additional housing units could be located on existing lots that were larger than one acre in size; when combined with the capacity that existed on lots less than one acre there were between 2,400 and 3,100 housing units that could be accommodated on partially vacant land inside the urban growth boundary (UGB) over the next 20 years. Efficiency strategies (alley access and secondary units) could yield an additional 160 housing units and redesignation of medium-density residentially zoned land to low-density could potentially create an additional 1,200 additional housing units. Mr. Dedrick said that in total, the findings suggested that there was capacity inside the UGB for 6,860 to 7,650 housing units.

Mr. Dedrick compared the land need for single-family housing using different mixes of single-family/multi-family. A 60:40 mix would require land for 1,400 to 2,100 dwelling units; that fell to 650-1,350 dwelling units under a 55:45 mix; to 0-600 dwelling units under a 50:50 mix; and to 0 dwelling units under a 40:60 mix. He then shared information about the land demand for uses typically located on low-density residential land, such as schools, parks, and public facilities, which indicated a need for 210 acres inside the UGB and 260 acres outside the UGB.

Mr. Dedrick estimated the single-family housing land need under the different mixes, indicating that a 60:40 mix required 560-735 acres; a 55:45 mix required 370-55 acres; a 50:50 mix required 210-360 acres; and a 40:60 mix required no additional acreage. He said the range in acreage was based on the fact that it would be necessary to consider the characteristics of the land added to the UGB.

Mr. Dedrick briefly reviewed the remaining steps in the TRG process.

Mayor Piercy invited comment from the TRG members.

Ms. Nelson hoped the TRG could work out the issues that remained in regard to the partially vacant land analysis to avoid future community controversy. Mr. Duncan concurred. He emphasized the expertise that TRG members had gained and thanked Ms. Nelson for the research she had done to help the subcommittee understand State law as it related to the issue of partially vacant lands. He believed the work the subcommittee had done was innovative and would have far-reaching implications.

Ms. Prichard added that the term “partially vacant” was not defined by the State, and it was up to Eugene to determine what it meant for its purposes. The issue was very complex. She said the subcommittee’s work was ground-breaking. Mr. Boles agreed. He said the subcommittee was wrestling with some difficult issues, including the ambiguity of State law. He reported that the TRG had another subcommittee working on the housing mix at a spreadsheet level to generate data from the assumptions and that group was awaiting results of the Partially Vacant Land Subcommittee’s work.

Mr. Boles asked the council to consider the housing mix in light of all of the Seven Pillars of Envision Eugene. He said the housing mix was not merely an economic development or housing issue. The mix also spoke to the community’s quality of life and its ability to sustain itself across time in the face of diminishing resources.

Mayor Piercy expressed appreciation for the TRG’s ground-breaking work.

Ms. Taylor suggested that multi-family housing was more likely to be affordable than single-family. Mr. Dedrick said that housing affordability was a hot topic of discussion among TRG members. The TRG wanted to ensure its assumptions were backed with facts. Ms. Prichard added that new construction of any kind was going to be more expensive than not. That did not mean such construction should not occur because it resulted in a stock of more affordable older housing. She believed that truly affordable multi-family housing was only possible with massive subsidies.

Mr. Duncan said he had discussed the topic with staff of the Department of Land Conservation and Development (DLCD) and the Housing and Urban Development as well as a planner from Newburg who completed a study of affordability in that community. There did not seem to be any empirical information that supported the assumption multi-family housing was more affordable. However, DLCD staff considered it a given fact. He had reviewed studies that were focused on much larger communities such as Atlanta and Detroit that indicated an increase in multi-family helped affordability, but those communities had longer travel distances and other considerations not applicable to Eugene. He said the TRG would continue to study the issue.

Mr. Boles noted that Eugene lacked a modeling system that allowed the TRG to see how aged housing was absorbed by different income levels.

Ms. Taylor clarified that she was not talking about subsidized housing but rather housing that was accessible to different income groups. She asked if the TRG had discussed inclusionary zoning. Mr. Boles said the TRG had not discussed that as a group. He considered inclusionary zoning to be a strategy, and the TRG was at the pre-strategy level as it was working on the capacity issue.

Ms. Taylor hoped the council received a minority report from the TRG. Mr. Boles responded that the TRG was trying to avoid a minority/majority report and instead was attempting to capture the concerns of

all members regardless of their political point of view. Ms. Gardner emphasized the goal of the Community Resource Group and the TRG was to build agreement.

Mr. Farr believed the TRG was working well together and he was optimistic about its ultimate product. He thanked the TRG members present for what he termed the “ridiculous” amount of work they were doing.

Mayor Piercy suggested Eugene needed a good and acceptable definition of “affordable” and “low-income” so it was clear what was being talked about.

Mr. Pryor also expressed appreciation for the work of the TRG and for its collaborative approach. The TRG was providing the council with the technical analysis it needed to make challenging policy decisions. He did not think there was a way to avoid the fact that the TRG’s recommendations were going to come down to competing values. The council needed the TRG’s guidance in making the right choices because he did not think they would necessarily be clear; instead, he anticipated the council would face a choice between one good value over another good value. While he hoped there would be no minority report, he did not expect the TRG’s work to be easy.

Mr. Zelenka agreed with the remarks of Mr. Pryor and hoped the TRG was able to reach a consensus position. He asked what the TRG had learned in regard to recent trends in housing and the housing mix. Mr. Boles said the TRG was working with limited data about local housing trends because the data available was limited to the years 2001-2008. He did not think the TRG would be able to secure much more information. He anticipated that in the future the City would have data to help it gauge such trends.

Ms. Nelson suggested that while historic trends could be useful they were not always an indicator of the future. The council would have to wrestle with that issue and in the end, make a judgment call. She termed it “crystal ball stuff” and wished it was not, given its dramatic effect on the housing mix.

Mr. Duncan emphasized the importance of monitoring the implementation of the outcome of Envision Eugene so the City could make needed short-term changes.

Mr. Zelenka liked an approach where the City adopted aggressive assumptions about the mix and adjusted them if necessary in the future. He asked what point in the range of single-family mixes triggered a need to seek additional land for multi-family housing outside the UGB. Mr. Dedrick said there may be a threshold at which a reliance on redevelopment did not realize sufficient land, but he was unsure of the answer and would keep the question in mind.

Ms. Ortiz thanked TRG members and expressed appreciation for their collaborative approach. She said the TRG was providing the council with the data it needed to make a decision. She was happy to hear there would be no minority report.

Mayor Piercy observed that the Seven Pillars represented community values and there were natural tensions between the values. However, she did not think the community should think of them as competing values because they all mattered and the council needed to consider all of them in its decision making.

Ms. Gardner introduced the next section of the presentation, which regarded the industrial land supply. She reported that the Community Resource Group (CRG) had heard presentations on the topic from a range of private, public, and nonprofit experts. The CRG formed an Economic Development Subcommittee and that group created a portfolio of needed sites. The CRG used that information to

discuss what the resulting need might look like without reaching a consensus. The CRG produced a report that summarized the work of the subcommittee and staff used that information to propose adding 400-500 acres of industrial land to the UGB. The council held a public hearing and directed staff to continue exploring areas that needed additional analysis.

Mr. Dedrick led the council through the remainder of the PowerPoint presentation. He reported that while the City technically had more industrial land than needed based on its jobs forecast, much of that land was in small parcels of less than two acres. The CRG had discussed the City's lack of large industrial parcels that might attract larger employers. State law allowed cities to be aspirational in regard to its industrial land needs and Eugene could use its economic objectives to identify a land need above projected need.

Mr. Dedrick reviewed a series of strategies embedded in the first pillar of Envision Eugene, ***Provide ample economic opportunities for all community members.***

1. *Meet all of the 20-year commercial land needs within the existing UGB.*
 - *Redesignation*
 - *Redevelop core commercial areas*
 - *Increase flexibility*
2. *Implement the JEO Regional Prosperity Economic Development Plan and complete the following actions:*
 - *Feasibility study of green industry cluster and an intermodal rail-truck transport hub*
3. *Consolidate and develop or redevelop existing vacant lands and developed sites.*
 - *Industrial land trust*
 - *Pilot brownfield site of at least 20 acres*
 - *Reduce constraints*
4. *Support the development or redevelopment of industrial sites that are and will remain outside the UGB.*
5. *Determine an appropriate portfolio of industrial sites.*
 - *Target lands of at least > 50 acres*
 - *Site choice*
 - *Provide realistic siting criteria*
6. *Expand UGB by 400-500 acres for industrial uses.*
 - *Ensure lands cannot be rezoned for another use*
 - *Explore concept of "just in time" inventory*

Mr. Dedrick described the process the Economic Development Subcommittee used to develop a portfolio of sites. He also noted the subcommittee's discussion of an industrial land bank. Staff used the information developed by the committee to establish the range of need.

Mr. Dedrick shared slides of maps showing the four areas outside the UGB being considered for industrial expansion and described some of the constraints and considerations associated with each area. Those areas encompassed 600 acres in the Clear Lake area; 300 acres in the Coburg/Game Farm area; 450 acres in the Russell Creek basin; and 300 acres in the Goshen area. Focusing more specifically on the Clear Lake area, Mr. Dedrick shared a map that illustrated the results of a preliminary wetlands analysis and suggested the costs of development could be prohibitive without a creative approach to mitigation. Staff had contacted several of the property owners in the Clear Lake area and most were interested in discussing the potential of being brought inside the UGB.

Mr. Dedrick concluded by reporting that there were challenges to developing all the available potential land for industrial use. He posited there might be other viable, smaller parcels inside the city. Staff

would continue to work to address site constraints and would continue to work on the land trust. He reminded the council of the upcoming open houses on Industrial Lands and Housing.

Ms. Gardner said the TRG would also like an opportunity to look at industrial lands and she anticipated that review would begin soon.

Mr. Farr asked if staff envisioned a process for maintaining the industrial lands supply. Mr. Dedrick said the Economic Development Subcommittee had raised the idea of a rolling portfolio but did not have extensive discussions on the topic. Mr. Farr hoped that the subcommittee would consider that.

Ms. Taylor determined from Mr. Dedrick that the Hynix site was about 200 acres in size and it was not included in the inventory because it had no more capacity due to the presence of wetlands.

Ms. Taylor asked what type of industry needed 100 acres. Mr. Dedrick said the Economic Development Committee acknowledged that the demand for such sites was fairly narrow but also discussed the potential such sites could be divided into smaller parcels. He did not know what type of industry needed such a site. Ms. Gardner explained that the City was seeking not just to attract large businesses, but allow local businesses to grow in place and encourage start-ups through the provision of a variety of parcel sizes. She said there was more work to be done on the issue.

Ms. Taylor asked for examples of large “clean and green” industries. Mr. Dedrick cited solar manufacturers, wind power manufacturers, and electric vehicle manufacturers. He noted that in recent years the majority of clean and green companies locating on sites larger than 100 acres have been solar or wind power manufacturers.

Ms. Taylor asked for examples of how the City could reduce site constraints. Mr. Dedrick cited assistance with wetlands mitigation and infrastructure improvements as examples.

Mr. Brown asked if the Metropolitan Wastewater Management Commission’s poplar farm contained wetlands. Mr. Dedrick said the site contained wetlands that were inventoried but not protected. It contained several acres of wetland “fingers” that made site development challenging. The level of mitigation needed would be too costly for many businesses. Mr. Brown noted the site’s current industrial zoning and asked the site had sufficiently large areas unaffected by wetlands that could allow for development. Mr. Dedrick believed it did but said that would require more investigation. Mr. Brown suggested the site could be developed more intensely than it currently was given its location inside the UGB and its current zoning.

Mr. Zelenka suggested the poplar farm was a poplar farm because of the presence of wetlands and noted the role that the poplar farm played in removing heavy metals from sludge.

Mr. Zelenka said he understood the group working on industrial lands was not in consensus about the recommendation and that the process was close to breaking down. He asked if the need finding opened the City up to legal arguments. Ms. Gardner would not characterize the process as broken down. She said the process concluded without consensus on the final report. The TRG has offered to work with the chair of the Economic Development Subcommittee and the CRG on the issue.

Mr. Zelenka expressed a desire to have the Economic Development Subcommittee present to the council.

Speaking to Mr. Zelenka’s question regarding the potential of a legal challenge based on lack of need, Ms. Jerome said the City would not move forward with a proposal to expand the UGB for industrial use

without offering a justification. While the City did not appear to have a need for additional industrial land on paper and there were differences about the level of need, there was general agreement there was some need. There was little statutory or rule guidance on how to demonstrate that need. The State was clear that the City needed to provide some market choice. Woodburn recently proposed expanding its UGB by 409 acres for industrial land and a considerable amount of that acreage was for market choice. The State had accepted Woodburn's analysis, although the Court of Appeals called for more findings supporting the number. The results of that case would inform Eugene's work.

Mayor Piercy adjourned the meeting at 1:30 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)