

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

Meeting Date: November 14, 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 October 10, 2011, Work Session, October 10, 2011, Regular Meeting, October 12, 2011, Work Session, October 31, 2011, Special Meeting.

ATTACHMENTS

- A. October 10, 2011, Work Session
- B. October 10, 2011, Regular Meeting
- C. October 12, 2011, Work Session
- D. October 31, 2011, Special Meeting

FOR MORE INFORMATION

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MINUTES

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

October 10, 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 October 10, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Eugene Community Climate and Energy Action Plan Progress Report**

The council was joined by Sustainability Liaison Babe O’Sullivan, Climate and Energy Analyst Matt McRae, and Sustainability Commission Vice Chair Kathi Jaworski. Ms. Jaworski expressed the Sustainability Commission’s support for the work that had occurred to implement the City’s Climate and Energy Action Plan (CEAP) and for its continued implementation. She reviewed the highlights of a letter from the commission that urged the council to focus on goals where less progress had been made, including expansion and maintenance of the urban forest, promotion of water conservation, and reduced natural gas consumption and which suggested the council could spur action in those areas. Ms. Jaworski recognized progress as exemplified by the City’s Pedestrian and Bicycle Master Plan and recommended that the City establish a process to evaluate which projects worked best to encourage the use of alternate modes. She concluded by suggesting the next step was to reflect CEAP in City policies. She offered the commission as a resource in that effort.

Mr. McRae led the council through a PowerPoint presentation regarding the City’s Climate and Energy Action Plan, first reminding the council of the goals of the plan: 1) to reduce community greenhouse gas emissions ten percent below 1990 levels by 2020; 2) to reduce fossil fuel use by 50 percent by 2030; 3) to prepare the community for climate change; and 4) to prepare the community for rising fuel prices. CEAP included six focus areas:

- Buildings and agriculture
- Food and agriculture
- Land use and transportation
- Consumption and waste
- Health and social services
- Urban natural resources

Mr. McRae placed local efforts in context by noting increasing national awareness of the issue of climate change. He shared national trend data showing increases in crude oil prices, gasoline prices, adjusted food prices, and adjusted asphalt price index.

Mr. McRae indicated that staff would seek additional input on the report from the topic specialists involved in creation of the plan and other interested parties and anticipated that staff would continue to report to the council and community on progress in plan implementation. He called attention to some of the agencies the City was collaborating with on implementation. Mr. McRae also noted the City's collaboration with entities such as BRING Recycling, whose *Re:Think* Program helped local businesses save money by reducing their energy and water use and waste generation. He also reported that Rexius and Lane Forest Products had received permits to compost food waste from grocery stores and restaurants, which would divert material from the landfill and preclude the release of additional methane into the atmosphere.

Mr. McRae then shared information about energy use in Eugene that demonstrated progress in reducing the use of gas, natural gas, and electricity. He noted that the trend decline began prior to the economic downturn in 2008, which suggested that the plan's goals were both sustainable and could be achieved without economic hardship. Other related measures demonstrated similar gains. While he acknowledged it was difficult to measure the impact of CEAP on the community's use of energy, Mr. McRae believed Eugene was on the right track. He emphasized the importance of a sustained commitment to ensuring CEAP's ambitious fossil fuel reduction targets were met.

Mr. McRae also emphasized the importance of considering what was needed to reduce the physical and financial risks brought about by the projected changes in climate. He reported he had been working with Eugene Emergency Program Manager Joe Rizzi to update the City's Natural Hazards Mitigation Plan to ensure it considered the risks associated with climate change. Staff was also working with other local governments on regional approaches to emergency preparedness and support was growing for a voluntary Willamette Valley compact to more efficiently prepare local communities.

Mr. McRae invited questions.

Mayor Piercy believed the community's challenge was how to continue to progress on CEAP's goals and not lose ground in the face of an increasing population. She appreciated that staff recognized the City's partners in implementing CEAP. She encouraged staff to present the information to the Eugene Water & Electric Board commissioners.

Mr. Poling noted that the Agenda Item Summary stated that the council had unanimously endorsed CEAP in September 2010 but that was not the case. He recalled that instead, the council had adopted a motion that directed the City Manager to implement actions that supported CEAP's goals and objectives, subject to best practices, resources, collaboration with community partners, and council approval of future policy changes. He expressed appreciation for the work that had been done.

Mr. Zelenka believed CEAP created a road map to the future for the City and the community. He thought the majority of the actions in CEAP were economically beneficial for Eugene and would leave residents with more money. He hoped that staff was able to track those savings over time.

Mr. Zelenka did not think measuring electricity use was a good economic indicator because conservation and increased efficiency drove use down over time.

Responding to a question from Mr. Brown, Mr. McRae indicated that methane capture at the landfill was imperfect but did reduce emissions to some degree. Mr. Brown was impressed by the data regarding declines in energy use and determined from City Manager Ruiz that Eugene's population grew at the rate of about one percent per year during the time of decline.

Responding to a question from Ms. Taylor about what the City planned to do in regard to barriers to solar access created by infill development, Ms. Weiss said Planning Division staff was considering some of the recommendations that came from the Infill Compatibility Standards Project and would forward those to the council as part of the Envision Eugene adoption process.

Ms. Taylor was happy to see that CEAP recognized the importance of protecting farmland and potential farmland. She suggested the council keep that in mind when it considered expanding the urban growth boundary (UGB).

Responding to a question from Ms. Taylor about the staff position dedicated to urban agriculture and composting, Mr. McRae said that position was intended to encourage and facilitate urban agriculture. Ms. Taylor asked if that position's duties included oversight of chickens. Mr. McRae said the employee in the position was currently researching the regulations that governed the keeping of chickens in other communities. Ms. Taylor asked for more information about what the employee in question did.

Mr. Farr asked if staff was tracking the costs of energy conservation. Mr. McRae said that was not yet occurring but staff would begin to track that information once the programs just begun were more fully in place.

Mr. Farr was encouraged to hear that staff was working on the barriers to solar access given the emphasis City planning efforts placed on more dense development.

Ms. Ortiz was pleased to hear of the progress that had been made. She asked if EWEB had incentives for weatherizing rental properties. Mr. McRae acknowledged the difficulty of weatherizing such housing and said Eugene was working on how to create such incentives. Mr. Zelenka shared information about the Business Energy Tax Credit with Ms. Ortiz, which was a state program that provided landlords with tax credits for their energy efficiency efforts.

Speaking to the interest expressed by the Sustainability Commission for expansion of the urban forest, Mayor Piercy reported that the Eugene Tree Foundation was working with a similar organization in Portland to build its capacity and help the City plant and maintain more trees.

Mr. McRae introduced Community Development Manager Mike Sullivan, Metro and Community Planning Manager Carolyn Weiss, Transportation Planning Manager Rob Inerfeld, and Senior Planner Robin Hostick, who were also present to answer questions about 20-minute neighborhoods. Mr. McRae led the council through a PowerPoint presentation on the City's 20-minute neighborhoods initiative. He linked the initiative to both CEAP and Envision Eugene and described more fully its focus on distance, density, and destination to create neighborhoods that supported walkability and the use of alternate modes. Such neighborhoods reduced congestion, increased public safety, helped increase social interaction, and increased the affordability of access. Walkable neighborhoods reduced individual transportation costs and retained dollars otherwise spent on fuel in the community. They benefited the environment by reducing greenhouse gas emissions and noise.

Mr. McRae offered downtown and the neighborhoods built around Blair Boulevard and 3rd Avenue, Royal Avenue and Danebo Road, and 24th Avenue and Hilyard Street. He shared a "heat map" of Eugene that showed where factors supporting 20-minute neighborhoods were strongest and weakest. He reviewed the criteria for 20-minute neighborhoods, which included:

- Distance—intersection density, sidewalks, bicycle lanes, transit
- Destinations—elementary schools, parks, full-service grocery stores, convenience stores, other commercial uses (restaurants, salons, cafes, etc.)
- Density—population density at home, employment density at work

Mr. McRae shared a series of heat maps that illustrated the community's intersection density, the density of parks proximate to residences, full-service grocery store densities, and residential densities. He indicated that areas that were "cooler" were in that condition for different reasons; some lacked grocery stores and bus service, while others lacked sidewalks and had low intersection density. He suggested that considerations such as aesthetics, tree canopy, signalization, street width, and traffic speeds also affected people's mode choices.

Mr. McRae said the City needed to account for many factors, such as income levels, age, ethnicity, auto ownership, and current trends in bicycling and walking to prioritize its investments in 20-minute neighborhoods. Further analysis was needed to determine where the City should apply its toolkit of strategies. He anticipated that some of the tools would be implemented through Envision Eugene to support its goal of compact development. Mr. McRae suggested the next steps could include the establishment of a "Complete Streets" policy that mandated all new and reconstructed streets be built to support all modes. He invited questions.

Speaking to the concept of the "Complete Streets" policy, Mayor Piercy suggested such a policy might require flexibility that allowed the City to recognize unique circumstances. However, she also supported setting such high goals and working to achieve them.

Ms. Taylor asked if City staff had discussed the impact of elementary school closures on 20-minute neighborhoods with staff of the two school districts. Mr. McRae said he had discussed the issue with district staff and found out there were many variables that went into such decisions and that such closures were rare. Ms. Taylor emphasized the importance of local schools to families and pointed out that school closures also increased the community's carbon footprint by forcing residents to drive to schools farther away. She recommended that the City buy closed schools and suggested the possibility that the City could maintain the buildings on the site until they were needed again by the districts.

Mr. Zelenka asked questions clarifying the nature of the priority recommendations related to 20-minute neighborhoods and the source of funding for the projects that would result.

Mr. Zelenka asked about the role of the Planning Commission in removing policy barriers to 20-minute neighborhoods. Ms. Weiss anticipated the commission would oversee revisions to the City's regulations governing parking and Floor Area Ratios and forward its recommendations to the council.

Mr. Zelenka suggested the City focus 70 percent of its efforts on the areas shown in orange on the heat maps to strengthen the 20-minute neighborhood elements in those areas and 30 percent of its efforts on the areas shown in blue where improvements would be more long-range in nature. Mayor Piercy advocated for a dispersed strategy that helped people feel their needs were being considered and that built capacity into the system.

Mr. McRae distributed maps entitled *19-Minute Neighborhood Analysis* showing how neighborhoods throughout the community scored in regard to the elements they contained that were supportive of the 20-minute neighborhood concept.

Speaking to the issue of what neighborhoods to focus on first, Ms. Ortiz pointed out that several areas of the community contained streets lacking sidewalks and residents who did not want sidewalks. She asked the City could encourage them to have sidewalks if they did not want them. She also questioned how the City could compel the construction of a grocery store or the appearance of a neighborhood. While she thought the work that had been done was good, she was challenged about where to begin. Mr. McRae said he discussed the question of where to focus the City's initial efforts with other groups and found no consensus. He agreed that the City was constrained in its ability to guide the location of a grocery store. Ms. Ortiz said access to wholesome and reasonable priced foods was a challenge in some of the areas she represented, and she asked how the City could improve that situation. Mr. McRae reported that the Lane Coalition for Healthy Active Youth was working on a Healthy Corner Stores Initiative with DariMart. Ms. Ortiz observed that the cost of refrigeration was too much for many small "mom and pop" stores.

Mr. Farr concurred with the remarks of Ms. Ortiz regarding access to wholesome, reasonably priced foods and noted the presence of convenience stores in Bethel that included complete food sections.

Mayor Piercy recalled that participants at the Neighborhood Summit discussed how the City could best use its funding to build on existing initiatives and the elements supportive of 20-minute neighborhoods that already existed rather than imposing solutions on the neighborhoods.

B. ITEMS AND COMMITTEE REPORTS

Mr. Zelenka reported the Sustainability Commission would present its work plan to the council soon.

Mr. Farr noted the City Council's upcoming meeting with the Human Rights Commission, and reported that the commission was contemplating changes in its structure and focus as a result of what it learned through the recently completed Listening Project.

Mr. Farr commended Golden Gardens Park as a model for what could be accomplished by the City in partnership with its neighborhoods.

Mr. Poling reported that the Board of Directors of Travel Lane County held its September meeting at the Inn at Diamond Woods and discussed normal business. The board would review chief executive officer Kari Westlund's evaluation at its next meeting. He encouraged viewers to visit the Travel Lane County website.

Mr. Poling congratulated Ward 4 resident Blake Shoemaker for the successful completion of an accessible ramp at the Old Willakenzie Grange as his Eagle Scout project.

Ms. Ortiz reported that the Human Services Commission had formed a subcommittee to work on the details of a community summit. She also reported that the Centro Latino Americano inaugural Heritage Dinner had been well-attended, with City Manager Jon Ruiz and Mr. Pryor among the attendees. She had also attended a town hall meeting in Junction City where Governor John Kitzhaber discussed the new State hospital planned for that community. She had attended the Latino Business Network at Next Step and noted the network would meet again the following night.

Mr. Pryor reported on the Lane Council of Governments (LCOG) Board of Directors, distributing a written report to the council and highlighting that LCOG was accepting nominations for awards in to be given at its January 2012 Awards Dinner, the upcoming retirement of long-time Executive Director

George Kloeppel, and the resignation of Vice Chair Judy Volta from the board. Mr. Pryor reported that he had agreed to remain as board chair for another year to oversee the search process.

Mr. Zelenka said that the Metropolitan Policy Committee (MPC) was working on the Regional Transportation Plan and had approved the preliminary list of projects at its last meeting. The MPC also heard an interesting presentation from staff of TriMet in Portland regarding that agency's business assistance program. He encouraged councilors to view the presentation online.

Mr. Zelenka reported that the City had received more than \$1 million in energy efficiency incentives from the Eugene Water & Electric Board since 1995 and currently had seven energy efficiency projects that would yield another \$250,000.

Mr. Zelenka reported on upcoming trainings being conducted by Recreation Services: "Caring for the Car Giver" on October 25, "Dealing with Grief" on November 29, and "Pain Management" on December 14.

Mr. Zelenka noted that City Parking Manager Jeff Petry had been elected to the Board of Directors for the Pacific Intermountain Parking and Transportation Association. He congratulated Mr. Petry.

Mr. Zelenka shared information that indicated Oregon's business and income taxes were among the lowest in the nation and concluded that Oregon was a good place to do business.

Mr. Clark reported that the Cal Young Neighborhood Association had unanimously agreed to separate into three organizations and would soon seek council approval for that action. He commended Neighborhood Services Program Manager Mike Kinnison for his work with the neighborhood association.

Mr. Clark noted the Strategic Neighborhood Assessment Grant awarded to the River Road/Santa Clara neighborhoods, who were doing community outreach about the impacts of growth on the area with the goal of producing a refinement plan.

Ms. Taylor said she had attended the inauguration of the worm bin at Masonic Cemetery. She reported that she had been contacted by constituents who expressed concerns about the school crossing at Camas Ridge School, the fact people could not get their cars out of the Overpark without a credit card when no attendant was present, and about the bicycles locked to railings downtown.

Mr. Brown noted that the bicycles mentioned by Ms. Taylor had been removed. He reported on his attendance at the recent police promotion ceremony, saying several Records and 9-1-1 employees were promoted to new responsibilities, three patrol officers were promoted to sergeant and two sergeants were promoted to lieutenants. He was a member of the HSC subcommittee mentioned by Ms. Ortiz and hoped it could satisfy the growing financial need. Mr. Brown had also attended a work party at Civic Stadium.

Mayor Piercy said she continued to attend the Citizen Police Academy. She also attended the recent Good Works Film Festival organized by Cindy Wooten. She thanked Ms. Taylor for presiding over council meetings during her recent absence and said she would be in Washington, DC, during the week of October 17 to attend the "Railvolution" Conference in Washington, DC. Mayor Piercy had also met with Lane County Commissioner Faye Stewart about long-term public safety solutions and attended a Regional Solutions meeting with Governor Kitzhaber.

The council agreed to take up the Consent Calendar, which was on the 7:30 p.m. meeting agenda.

2. CONSENT CALENDAR

- A. Approval of Tentative Working Agenda**
- B. Adoption of Resolution 5042 Authorizing the Sale of General Obligation Refunding Bonds**
- C. Initiation of Land Use Code Amendment to Facilitate the Siting of an Outpatient Clinic Operated by the United States Department of Veterans Affairs**

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 7:05 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

October 10, 2011
7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the October 10, 2011, regular meeting of the Eugene City Council to order. She reported that the council had approved Item 2, Consent Calendar, at the 5:30 p.m. work session.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Quintin McGuire, 1314 Brickley Road, reported he was involved in a bicycle accident near Sheldon High School because a vehicle driver failed to stop before entering the street. He believed the driver failed to stop because of an obstruction at the intersection and asked what could be done about such obstructions. He said drivers could not see at many intersections in that area, not just the one he mentioned.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, had provided a handout for the council showing daily EmX boardings for the Franklin and Gateway routes. He contrasted the boardings from those routes with LTD's daily ridership in West Eugene and cost of those routes with the proposed route in West Eugene and asked why the proposed route to West Eugene was so much more expensive. He reported that he had asked Lane Transit District about the costs without receiving a response and suggested the council should ask the agency that question.

Michael Sussman, 2685 Oak Street, a member of Transition Eugene, expressed his support for the City's Climate and Energy Action Plan. He encouraged the council to be consistent with the guidelines in the plan in making policy decisions. He was concerned about the impacts of energy uncertainty and climate change and believed that working toward a more resilient economy was a wise step. He promise to follow progress on the plan and looked forward to partnering with the City. He encouraged the City to work with residents to achieve the goals in the plan.

Zachary Vishanoff, resident of Ward 3, urged Councilor Brown to request a City Council work session on the University of Oregon's proposal to form its own police agency and suggested an outcome of that would be two public hearings on the proposal that provided students, staff, and others with an opportunity to speak on the topic. He believed the City could direct an outcome that made the UO develop a proposal that was "palatable, legal, and well-understood." He maintained that currently, the UO's proposal was amorphous.

Wayne Ford, 85560 Svarverud Road, chair of the Homeless Action Coalition, thanked the council for its support over the years. He viewed the council and Eugene Police Department as partners. He hoped that the City continued to consider adding more camping spaces to the St. Vincent de Paul homeless camping program. He reported the Lane County Parks and Recreation Commission had voted unanimously to start a pilot program in a County park to provide spaces to the homeless to be supervised by St. Vincent de Paul. He promised to return with future updates.

Mayor Piercy closed the Public Forum. She assured Mr. McGuire the council was concerned about the issue he raised and recommended that he contact Public Works and Police staff. She thanked Mr. Sussman for his remarks and said it was good to hear his support. She agreed with Mr. Vishanoff that the subject of a UO police agency was an important issue on campus. She thanked Mr. Ford for his update and hoped the pilot conducted by Lane County was successful so more spaces could be made available.

Mayor Piercy solicited council comments and questions.

Councilor Clark expressed sympathy to Mr. McGuire and invited Mr. McGuire to contact him.

2. CONSENT CALENDAR

The council considered and passed the Consent Calendar at the earlier work session.

3. ACTION: Appointment to Sustainability Commission

Councilor Taylor, seconded by Councilor Brown, moved to appoint Stacy Vynne to Position 2 on the Sustainability Commission, an unexpired term ending on June 30, 2013.
Roll call vote: The motion passed unanimously, 8:0

4. ACTION: Appointment to Planning Commission

Councilor Taylor, seconded by Councilor Brown, moved to appoint Mark Baker to Position 1 on the Planning Commission for the unexpired term ending on June 30, 2012.

Councilor Poling, seconded by Councilor Clark, moved to amend the motion by substituting the name of John Jaworski.

Councilor Poling believed the council had interviewed five exceptional candidates and his motion did not imply Mr. Baker was a lesser candidate. He noted the hard work Mr. Jaworski had done in overseeing the division of the Cal Young Neighborhood Association into three associations. Councilor Clark agreed with Councilor Poling and commended Mr. Jaworski's dedication and work ethic.

Councilor Zelenka did not support the amendment because of Mr. Baker's long-term involvement in his neighborhood association and his familiarity with planning and livability issues.

Roll call vote: The vote on the amendment was a 4:4 tie; Mayor Piercy cast a vote in opposition to the amendment and it failed on a final vote of 5:4.

Roll call vote: The motion to appoint Mr. Baker to the Planning Commission passed unanimously, 8:0.

Councilor Taylor, seconded by Councilor Brown, moved to appoint Sara Mason to Position 5 on the Planning Commission for the unexpired term ending on June 30, 2014.
Roll call vote: The motion passed unanimously, 8:0.

**5. WORK SESSION:
Ward Redistricting Scenarios**

Division Manager Keli Osborn of the City Manager's Office and Associate Planner Jason Dedrick of Planning and Development Department were present for the item. Mr. Dedrick reminded the council that it considered several boundary scenarios at its work session of September 26 and the council had ultimately focused on scenarios 1C and 1E. He shared a series of maps that juxtaposed the two scenario boundaries with current ward boundaries, illustrated the areas of change for the two scenarios, juxtaposed the scenario boundaries with current neighborhood and ward boundaries, and juxtaposed the scenario boundaries with the city limits and urban growth boundary. He said a resolution adopting a scenario was scheduled for action on October 24.

Councilor Taylor, seconded by Councilor Brown, moved to direct the City Manager to prepare a resolution and map to adopt Scenario 1C as Eugene's new ward boundaries.

Councilor Clark, seconded by Councilor Poling, moved to amend the motion by substituting Scenario 1E.

Councilor Ortiz solicited input from the councilors affected by the change. Councilor Zelenka supported Scenario 1E because it minimized change and retained the Amazon neighborhood in his ward. He believed the Amazon neighborhood shared commonalities with other neighborhoods he represented due to its proximity to the University of Oregon and together with those neighborhoods created a "community of interest." Councilor Taylor supported Scenario 1C. She suggested the boundaries of Scenario 1E presented an appearance of gerrymandering. Councilor Taylor thought the eastern part of Ward 2 had more commonalities with the Amazon neighborhood because residents attended the same schools, shopped at the same stores, and recreated in the same places. She saw nothing wrong with two councilors representing one neighborhood.

Roll call vote: The amendment to the motion passed, 7:1; Councilor Taylor voting no.

Roll call vote: The amended motion passed, 7:1; Councilor Taylor voting no.

Mayor Piercy adjourned the meeting at 7:56 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

October 12, 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 October 12, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
 Multi-Unit Property Tax Exemption and Envision Eugene**

City Manager Jon Ruiz introduced the item. He anticipated that the discussion was one of several the council would have in coming months on tools to facilitate the implementation of Envision Eugene. Eugene Planning Director Lisa Gardner and Senior Planner Nan Laurence were present for the item and Ms. Gardner led the council through a PowerPoint presentation entitled *Envision Eugene and MUPTE*. She highlighted the Seven Pillars and identified *Affordable Housing, Climate and Energy, Compact Development and Transportation, and Neighborhood Livability* as pillars that MUPTE (Multi-Unit Property Tax Exemption) helped move forward. She anticipated that MUPTE would help the City meet its need for multi-unit housing within the urban growth boundary (UGB) but that required removing some regulatory barriers and incentivizing desired development. Ms. Gardner emphasized the importance of the MUPTE to project financing.

Ms. Laurence then presented information about the application of MUPTE to areas outside the downtown. She reminded the council that it approved the extension of MUPTE for use in the Downtown Plan area. She shared a map showing the transportation corridors identified through Envision Eugene and suggested they were also likely candidates for the application of MUPTE. She said staff had considered development potential, the need for incentives, and recent area planning when identifying four likely areas for the use of MUPTE: 1) West University, 2) Trainsong/6th and 7th; 3) Franklin Corridor; and 4) Midtown/South Willamette. She shared a series of maps showing those areas.

Ms. Laurence noted that MUPTE would soon sunset in the West University Neighborhood (WUN) and proposed that the City hold a neighborhood forum so residents could discuss the benefits and disadvantages of MUPTE. The council could then decide to retain or modify MUPTE for the area.

Ms. Laurence recommended that the council retain the existing MUPTE boundaries in the Trainsong/6th and 7th area at this time and initiate a planning process to determine future MUPTE boundaries. She also recommended that the council include the Walnut Station Special Area Zone in the MUPTE boundaries of the Franklin Corridor area. Ms. Laurence recommended the council consider the use of MUPTE in the Midtown/South Willamette area after the area planning process was completed.

In response to earlier council questions, Ms. Laurence contrasted the average property tax for properties granted the MUPTE prior to exemption (\$3,125) with the average property tax after the exemption period ended (\$47,500). Speaking to the issue of the effect of MUPTE on project quality, Ms. Laurence shared a photograph depicting the Coho Apartments, which received the MUPTE, and a photograph showing the Mallard Apartments, which did not, and acknowledged it might be difficult to gauge project quality in the cases shown. However, she pointed out that since 2008 the MUPTE had provided for neighborhood input into project design, and that requirement ensured the neighborhood group had a voice in the process and provided for a higher degree of compatibility. She suggested the City might revise the MUPTE approval criteria based on the needs and conditions in each individual area.

Ms. Laurence reported that there was one project awaiting council approval, the Paradigm at 17th and Pearl, which was approved by the council for MUPTE and was currently under construction. The project would not be completed by the date mandated in the resolution approving its MUPTE application and staff would ask the council to extend the deadline on October 24.

Ms. Laurence concluded the presentation by asking the council to consider where density should be increased, how the City could ensure that it was located and designed in a compatible manner, where MUPTE should be used as a tool, and if the identified areas were appropriate for the application of MUPTE.

Mayor Piercy asked if expedited planning and permitting processes could serve as an incentive to replace MUPTE. Ms. Laurence emphasized the importance of MUPTE in securing project financing and suggested some projects would not go forward in its absence. The expedited processes might speed up income streams, but would not be considered a “make it or break it” incentive in the same manner as MUPTE. Ms. Gardner emphasized the need for multiple tools, including those mentioned by Mayor Piercy, to incentivize the desired development.

Mayor Piercy asked if the City could require neighborhood association input for all new developments. Ms. Gardner said that the code could be amended to provide for such input.

Ms. Taylor suggested neighborhoods other than just the affected neighborhood should be consulted when developers requested tax exemptions. She agreed with the mayor that all development proposals should be discussed by the affected neighborhood association. Ms. Taylor believed any tax exemptions granted should be for a clear benefit and she saw that happening only in the downtown. She suggested that another future developer might develop a property that the current owner could not afford to build without MUPTE. Speaking to the subject of neighborhood input, Ms. Taylor pointed out that in one case, the adjoining neighbors had opposed a project but the neighborhood association supported it.

Responding to a question from Ms. Taylor, Ms. Laurence shared data regarding the differences between property taxes paid prior to project construction and after the exemption expired.

Ms. Taylor said it appeared staff was already committed to the wider application of MUPTE. City Manager Ruiz said staff envisioned MUPTE as one of several tools to implement Envision Eugene. He said staff wanted to do more neighborhood outreach before returning with a final recommendation.

Ms. Taylor suggested if housing was needed and developers needed to make money they would build housing without a tax exemption. Ms. Laurence said Eugene had construction costs similar to those of Portland, but rents were lower so the community was not experiencing the type of development that Envision Eugene suggested was needed. She said staff was trying to integrate a development incentive

with the City's goals for livability, compatibility, and prosperity. Staff believed the City needed some development incentive to attract quality development and encourage it in the most appropriate locations.

Mr. Zelenka considered MUPTE to be a blunt tool that was not good at achieving the City's land use goals. While he acknowledged the economics of each project was different, Mr. Zelenka believed the determining factor in project profitability was the developer's equity rather than the MUPTE. If a project had sufficient equity, MUPTE was unnecessary. The circumstance of each builder was important, and he did not think it was the City's business to ensure that all builders could build what they wanted where they wanted. He suggested that rather than focus on the amount of taxes collected after the exemption ended, the council focus on whether the development would have happened anyway. He believed that it would have happened in the West and South University neighborhoods, particularly give the amount of non-incentivized construction that had been built.

Mr. Zelenka distinguished between neighborhood input that was heard and neighborhood input that was acted upon. He did not think the mere fact of being heard increased compatibility. He believed the City should consider a "cadre" of tools that included neighborhood consultation modeled on the City's requirements for planned unit developments.

Mr. Farr suggested to Mr. Zelenka that no one was saying that consultation equated to compatibility, but that it was a mechanism to increase compatibility. He asked when the proposed forum would occur. Ms. Laurence hoped it occurred later in the fall. Mr. Farr asked if the City tracked the transitory nature of neighborhood. Ms. Laurence said the City would soon release a neighborhood analysis that included the percentage breakdown of renters and homeowners. Mr. Farr asked if staff asked forum participants if they were home owners or renters. Ms. Laurence said the question could be asked. Mr. Farr encouraged that.

Mr. Farr suggested that the program could be considered successful if increasing taxes was a measure of success. He believed there was a conflict between the City's goals for more affordable housing and compact urban development because the regulations to increase compact growth slowed the development process down. He believed the community was leaving single-family dwellings in place in locations that were best for multi-family housing and that was also contrary to what it wanted in regard to compact growth. Speaking to the application of MUPTE in the WUN, Mr. Farr suggested that if the City delayed for-profit development in that area the University of Oregon would step in and provide its own tax-exempt development in the area.

Mr. Clark emphasized the lack of affordable housing in Eugene. He supported the staff recommendation because MUPTE supported the goals of Envision Eugene, created development along transportation corridors in accordance with Envision Eugene, and because more multi-family housing development could reduce local unemployment. Mr. Clark endorsed the proposed forum.

Mr. Clark expressed interest in more information about comparative land costs and the time value of land costs to inform the council's discussion about the question of whether construction would have happened in the absence of MUPTE. He questioned what percentage of land purchased at a lower price still existed, or if the community had exhausted the supply of land that could support more affordable housing.

Ms. Ortiz reiterated her opposition to any additional MUPTE applications in the West University area, and for that reason opposed any further work in that neighborhood. She encouraged that action be taken soon on the remaining MUPTE application. She advocated for Trainsong/6th and 7th as the first area for consideration of MUPTE because of the planning that was already occurring in adjacent areas. She

thought it would be a good idea to do some outreach to the other areas identified by staff to gauge community interest.

Mr. Brown shared Mayor Piercy's interest in neighborhood consultation for all developments to ensure greater compatibility. He suggested the presentation was incomplete because it lacked information about the value of non-MUPTE projects completed in the same period, their previous taxes, and the taxes from the increased value of development. He also requested information about how much in property taxes the City had forgone for MUPTE projects.

Mr. Pryor endorsed Mr. Brown's information requests. He believed it was more challenging to quantify the benefits of MUPTE than its costs. He suggested the benefits included intangible benefits such as project quality, neighborhood livability, and compatibility with growth plans and also spoke to the question of what else would have happened in the absence of the MUPTE.

Mr. Pryor did not think it would be an efficient use of staff time to do further work on the WUN given the apparent lack of council support for further applications in that area. He suggested the council could reinstate MUPTE in the WUN in the future. Mr. Pryor supported the extension of the existing MUPTE application in the WUN because he believed the project delays were legitimate.

Mr. Poling agreed with Mr. Pryor. He said MUPTE had run its course in the WUN and it was time to move on. He agreed with Ms. Ortiz about the Trainson/6th and 7th area as the next priority area to apply MUPTE in. However, he preferred to hear additional input from residents in the other identified transportation corridors before making a final decision. He also supported the extension of the existing MUPTE application in the West University area.

Mayor Piercy supported the direction the council appeared to be taking in regard to the WUN. The WUN was unique for its lack of owner-occupied housing and that spurred the need for a discussion about the type of neighborhood input that would be most meaningful. She encouraged staff to reach out to the residents of the South University Neighborhood.

City Manager Ruiz requested formal council action about staff's focus as it regarded the WUN. He pointed out that the first neighborhood planning effort initiated through Envision Eugene would focus on the West and South University neighborhoods and suggested the council could revisit the topic when it considered those plans.

Ms. Taylor, seconded by Mr. Brown, moved to direct staff not to spend any more time on the MUPTE in the West University Neighborhood.

Mr. Farr believed that MUPTE supported the Seven Pillars and could help conditions in the WUN. He believed it was premature to drop the use of MUPTE in that neighborhood and agreed with the manager that the council could revisit the topic in the future. He preferred to retain the tool and seek additional community input.

Mr. Clark wanted to proceed in the most effective manner and suggested the council refrain from taking options off the table at this time. He suggested the potential a project could come up in the WUN that the council wanted to support with MUPTE. He believed the council needed more empirical evidence to determine whether a project would or would not proceed without MUPTE.

Mr. Poling suggested if council's future discussions about the implementation of Envision Eugene pointed it back to MUPTE, it should not hesitate to revisit it. At this point, he preferred to move on to another area.

Ms. Ortiz maintained that MUPTE in its current form had done its work in the WUN. She was not unwilling to talk about its application in the future, but was hearing from constituents and councilors representing the area that it was not working.

Mr. Brown said the City's resources were shrinking because of tax abatements. He supported tax abatements for low-income housing and thought more such projects were needed, but the projects being supported by MUPTE were market-rate developments. The percentage of renters in the WUN seemed to increase each year and they were increasingly rent-burdened and were not helped by such projects. He supported the motion because the City needed the money involved.

Mr. Brown agreed with Mr. Zelenka that most of the projects would have been built anyway, although they might have been slightly different. He advocated for the application of MUPTE in areas where, but for the MUPTE, no development would otherwise occur. He suggested that the council direct staff not to spend time on the Franklin Corridor or Midtown/South Willamette because development would happen in those areas without tax rebates. He supported spending staff time on the Trainsong/6th and 7th area.

Mr. Pryor did not support the motion because he wanted to see the input staff proposed to gather from WUN residents.

Mr. Zelenka agreed MUPTE had run its course in the WUN. He reiterated the lack of owner-occupied housing in the WUN and said it was a very dense neighborhood that was experiencing redevelopment through consolidation of single-family lots. It was a very different area than the other areas under discussion both because of the nature of its housing and its tenants. He agreed with Mr. Farr that the pillars were sometimes conflicting and said the pillar *Protect Neighborhood Livability* was in conflict with some of the values expressed by the other pillars.

Mr. Zelenka suggested that the City could accomplish some of the benefits of MUPTE by instituting a requirement for neighborhood consultation for all multi-family developments, expedited planning and permitting processes, green building or quality incentives, examination of livability impact such as the Floor Area Ratio (FAR) requirements, parking requirements, number of bedrooms, number of unrelated occupants per unit, and design review were all "non-dollar" tools the City could employ in place of MUPTE.

Mr. Clark suggested that neighborhoods should be allowed to weigh in on all types of development. He believed the council would be sending a mixed message if it dropped MUPTE now and decided to reinstate it later. He did not support the motion.

Mr. Zelenka wanted staff to talk to residents of the WUN about elements of the MUPTE process they would like to see implemented in the future. He did not think that was precluded by passage of the motion.

The vote on the motion was a 4:4 tie; councilors Taylor, Ortiz, Zelenka, and Brown voting yes, and councilors Poling, Pryor, Clark, and Farr voting no. Mayor Piercy cast a vote in support of the motion and it passed on a final vote of 5:4.

Mayor Piercy agreed that the issue could be revisited in the future.

Mr. Brown reiterated his opposition to the application of MUPTE in the Franklin Corridor area. He thought it should be used only in economically distressed areas as it could induce developers to invest in areas they might otherwise avoid. He did not think MUPTE was appropriate for the Franklin Corridor or Midtown/South Willamette, neither of which were economically distressed.

Responding to a question from Mr. Zelenka about next steps, City Manager Ruiz envisioned staff would do more work on the three areas remaining and return to the council for direction about where to apply MUPTE. Mr. Zelenka asked about the status of “non-dollar” tools. Ms. Gardner anticipated that staff would return with such incentives as part of the Envision Eugene implementation process. Mr. Zelenka believed the “non-dollar” tools and MUPTE were linked and should be moved forward together.

Mr. Zelenka expressed support for the application of MUPTE in Trainsong/6th and 7th but objected to its application in its current form to the Franklin Corridor. Large multi-family housing developments such as the one behind Market of Choice had a huge impact on the community and dramatically affected neighborhood livability. The neighborhoods in the area were not supportive of such developments. He was unsure MUPTE was needed in the area given that recent development had occurred without it. Mr. Zelenka advocated for more neighborhood outreach in that area. He suggested staff consider focusing on the north side of Franklin Boulevard and incorporate that area into a revised MUPTE area that accomplished some of the things he mentioned.

Mr. Zelenka advocated for discussion of MUPTE in the Midtown/South Willamette area in the context of the current City planning process aimed at that area. He recommended that the West 11th Corridor be considered as one of the next areas to apply MUPTE.

Mr. Brown, seconded by Ms. Taylor, moved to direct staff to not spend time on MUPTE planning for the Franklin corridor.

Mr. Brown declined to accept a friendly amendment from Ms. Taylor to include Midtown/South Willamette in the motion.

City Manager Ruiz suggested that staff’s research could provide data that informed the council’s future discussions.

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

While he acknowledged the information provided by staff might result in the council deciding against the application of MUPTE in certain areas, Mr. Pryor believed the council could benefit from the information provided by staff. He did not want the community to receive the impression that councilors had already made their minds up without information.

Ms. Taylor shared the mayor’s concerns about the timing of the process as it related to planning for Envision Eugene.

Mr. Zelenka said that although he could not support MUPTE in the Fairmount neighborhood as it was currently configured he might be able to support a revised MUPTE.

Mr. Zelenka, seconded by Ms. Taylor, moved to direct staff to bring back information on non-dollar tools as part of the current process. The motion failed, 5:3; Ms. Taylor, Mr. Zelenka, and Mr. Brown voting yes.

Mr. Farr and Mr. Pryor indicated they could not support the motion because they were unsure what it meant.

Ms. Ortiz expressed support for data gathering that informed the council's future discussions.

Mayor Piercy suggested the council should first decide if it wanted to use MUPTE and then decide under what conditions it wished to use it. She continued to be concerned about the order of the council's decisions and their impact on the implementation of Envision Eugene. She believed the only reason to employ MUPTE was to realize the City's land use goals.

Mayor Piercy adjourned the meeting at 1:28 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

October 31, 2011
Noon

COUNCILORS PRESENT: George Brown, Andrea Ortiz, George Poling (via speakerphone), Mike Clark, Alan Zelenka, Pat Farr.

COUNCILORS ABSENT: Betty Taylor, Chris Pryor.

Her Honor Mayor Kitty Piercy called the October 31, 2011, special meeting of the Eugene City Council to order.

**A. WORK SESSION:
Occupy Eugene**

City Manager Jon Ruiz was present via speakerphone. Assistant City Manager Sarah Medary provided the council with an update, reminding councilors that they voted on October 24 to grant Occupy Eugene an exemption to the City's overnight camping ordinance so participants could camp in Alton Baker Park. Subsequently, Occupy Eugene had moved to property owned by the University of Oregon (UO). Staff had anticipated that Occupy Eugene would move to another camping site over the weekend; however, that had not occurred. She said the group was negotiating with the UO on next steps.

Because Occupy Eugene had left Alton Baker Park, Assistant City Manager Medary recommended the council rescind the exemption it had previously granted.

Mr. Brown, seconded Mr. Poling, moved to rescind the council's October 24 motion on Occupy Eugene's location.

Responding to a question from Ms. Ortiz, Assistant City Manager Medary said those who remained in Alton Baker Park knew it was still legal to camp there for the time being. Chief Kerns said Eugene Police Department (EPD) officers regularly visited the remaining Alton Baker Park campers since Occupy Eugene moved to let them know they would not be allowed to camp there if the council rescinded the exemption. If the council took that action, the EPD would alert the Alton Baker Park campers and let them know the department would take enforcement action if they did not leave in a day or two. He said the Occupy Eugene protestors had indicated to him they did not consider the campers at Alton Baker Park to be part of the protest, although the campers there considered themselves to be a splinter group of the protest. The campers at Alton Baker Park had been encouraged by the police and Occupy Eugene protestors to join the protest at the Millrace site. Responding to a follow-up question from Ms. Ortiz, Chief Kerns confirmed that the Millrace site was owned by the State and controlled by the University of Oregon (UO).

Ms. Ortiz asked what the UO planned to do. Assistant City Manager Medary said the UO was working with Occupy Eugene on a transition date for the group to leave the Millrace, and she understood Occupy Eugene would vote later that day on a new location.

Ms. Ortiz did not want the UO to ask the City to take heavy-handed enforcement against the protestors. Mayor Piercy recalled the council received an e-mail message that indicated there would be flexibility about the transition date.

Mr. Farr asked how the City could count on the splinter group camping in Alton Baker Park to do what it said it would. Assistant City Manager Medary believed the campers would move on when they understood it was no longer legal to be in the park.

Mr. Farr commended the excellent work of the Police Department.

Mr. Farr noted that the meeting was a special meeting of the council that he had heard characterized as a surprise meeting but he questioned if anyone was actually surprised the meeting was happening. He predicted the council would continue to meet about the issue, and said his previous vote of opposition to the exemption was based on his suspicion that the council would have to meet repeatedly to react to Occupy Eugene's decisions.

Responding to a question from Mr. Zelenka, Chief Kerns characterized the EPD's discussions with Occupy Eugene as civil and collaborative, although parties to the discussions did not always agree on a solution.

Mr. Zelenka thanked the EPD and thanked Chief Kerns for his leadership. His experience with Occupy Eugene was that the participants were peaceful and respectful of the process. He thought they were doing a good job. He characterized Occupy Eugene as a messy, evolving, unique consensus experiment in democracy that he thought deserved a unique ongoing response from the council as the movement changed and evolved. He took the word of representatives of Occupy Eugene people that the campers remaining in Alton Baker Park were not part of the demonstration and asked "who would know better than them?" While Mr. Zelenka was sympathetic to the plight of the homeless and thought more needed to be done for them, he was unprepared to discuss revisions to the City's homeless camping ordinance at this time. He supported the motion and hoped that Occupy Eugene remained where it was or relocated to Jefferson-Washington Park.

Responding to a question from Mr. Brown, Chief Kerns said the only public safety complaints he heard in regard to Occupy Eugene concerned behavior problems related to drug and alcohol use and theft in the Alton Baker Park camp location. In regard to the Millrace location, he had heard that some protestors had entered buildings without permission and there were dogs at large, although officers had generally encountered dogs on leashes. Mr. Brown confirmed with Chief Kerns that Occupy Eugene had caused no property damage or rioting.

It was Mr. Brown's experience that the Occupy Eugene protestors very respectful of the community. He said the City made exceptions to its laws all the time, citing the moratorium on the number of chickens one could keep and people drinking in public before UO football games as examples. He acknowledged the council might have to meet again on the topic but he did not care. He believed Occupy Eugene was highlighting a national emergency and he supported any move to City property the group wished to make if it did not cause unforeseen problems. He believed that Occupy Eugene would continue to operate as a peaceful event.

Mr. Clark expressed support for the motion but suggested that holding emergency council meetings to decide just exactly how the council was going to capitulate to Occupy Eugene was farcical at best. He wanted the council to treat everyone equally and suggested that many citizens did not believe that was the case for Occupy Eugene.

Mr. Poling agreed with the remarks of Mr. Clark. He said his review of national events reaffirmed his previous concerns about the eventual outcome of the Occupy Eugene protests. He believed Mr. Brown was sending a dangerous message by suggesting he would support Occupy Eugene moving to any City-owned property. He said the longer the City allowed Occupy Eugene to continue, the more likely it was to find itself on the same path as communities like Oakland, San Francisco, and Portland, which had to forcibly evict “Occupy” protesters from publicly owned spaces. He said Occupy Eugene was wearing out its welcome. He believed the group had got its message out.

Mr. Poling advocated for equal and fair enforcement of City ordinances. He understood that as a result of the “Occupy” movement, organizations across the United States were filing suit against cities now allowing “Occupy” encampments to operate without permit to recover the fees they had to pay to hold special events in public spaces. He suggested the same thing could happen in Eugene. Mr. Poling said he would support the motion but would not support a motion to allow Occupy Eugene to camp on any other City-owned property.

Mayor Piercy commended the Occupy Eugene protestors as respectful and civil individuals who cared deeply about national and local issues. She had attended the Harlow Neighborhood Association meeting and heard those in attendance applaud the EPD for its work with Occupy Eugene and had felt pride in the department. She said the community had a homeless issue before Occupy Eugene. Because of the group’s concerns about inequities at the national and local level, Occupy Eugene participants had tried to open their hearts and time to the plight of the homeless and had been sensitive about working with youth and people with mental health issues. She suggested that Occupy Eugene had helped the community focus on the problem of the homeless, who had been there all along but whose presence was highlighted by the protest. She anticipated further community discussion would occur as a result.

Mr. Farr noted the community’s long history of work to address the problems of homelessness as well as his request that the Council Committee on Homelessness and Youth be reconvened. He thought that Eugene was prepared to respond to the homeless problem in a prepared manner.

Mr. Farr expressed concern about the costs of Occupy Eugene on the City organization, noting 13 paid staff was present in the audience. He believed that was of concern to taxpayers, particularly at a time when other priorities went unfunded. Mr. Farr recalled that Chief Kerns estimated the City’s costs the previous week at \$20,000. He did not think Eugene had the resources to spend money to respond to Occupy Eugene each time it chose to move. Mr. Farr also pointed out the camping could affect wildlife living along the Millrace. He did not think the situation was tenable. He would support the motion but would not support future exemptions.

Mr. Farr determined from City Attorney Glenn Klein that the City’s camping ordinance applied to all public property inside the city limits, but it was not clear that the City had the authority to create and apply such regulations to property owned by the State or federal governments. In response to a follow-up question from Mr. Farr, Mr. Klein confirmed that another part of the code spoke to camping on private property.

Ms. Ortiz was not aware of what other cities were doing in regard to the Occupy movement. However, she said as long as Occupy Eugene was willing to talk to the City, the City should talk to Occupy Eugene.

Ms. Ortiz maintained that Eugene was a “model city” that did things in an innovative way, and its approach to Occupy Eugene was an example of that. She hoped communications did not break down between Occupy Eugene and the City. She thought it important that the organization kept its doors open to the organization in the same way it did for other organizations, even when she did not agree with their messages. Her constituency expected such a policy.

Ms. Ortiz was cognizant of the costs being incurred, but was also cognizant of the lawsuits that would result if the City had to turn to an entity such as the National Guard to end the protest. She preferred to spend her tax dollars spent on working toward the common good with Occupy Eugene than to try to stop its efforts. She suggested that Occupy Eugene was elevating community consciousness about homelessness. It was her expectation that the City would continue to work with Occupy Eugene.

Mr. Clark said he did not have to agree with a group’s position to feel strongly that they had a right to their position. He was proud to be resident of a state that took its First Amendment protections seriously. However, he distinguished between holding a protest, which he strongly supported, and camping in a public space. One did not have to camp to protest.

Speaking to descriptions of Occupy Eugene as a “peaceful” protest, Mr. Clark objected. He said it was not peaceful to take over a space and to not allow someone else to use it. He believed it was an act of aggression and asked people to stop describing the protest as such. He said such an act was no more peaceful than his occupation of the mayor’s office and refusal to leave would be.

Mr. Clark expressed appreciation for the response of City staff to the protest. He thought staff had responded wisely. He was concerned about some of the council decisions that had been made to capitulate to a situation that he did not consider a peaceful protest.

Mayor Piercy suggested that there was a disagreement of opinion between those who perceived Occupy Eugene as very cooperative and peaceful and those who did not. She said the same was true for the equal enforcement issue. She pointed out the City had an ordinance governing camping, but it contained waivers, and the exemption was legal.

The motion passed unanimously, 6:0.

Mayor Piercy adjourned the meeting at 1:38 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)