

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Council Minutes

Meeting Date: February 27, 2012
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 November 28, 2011, Work Session, January 9, 2012, Work Session, and January 23, 2012, Regular Meeting.

ATTACHMENTS

- A. November 28, 2011, Work Session
- B. January 9, 2012, Regular Meeting
- C. January 23, 2012, Work Session

FOR MORE INFORMATION

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MINUTES

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

November 28, 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 November 28, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
 Envision Eugene**

Senior Planner Robin Hostick of the Planning and Development Department joined the council and led it through a PowerPoint presentation entitled *Envision Eugene: Project Update for City Council Work Session November 28, 2011*. The presentation included an update on the multi-family housing land need and commercial land demand. Mr. Hostick reported that staff found a multi-family housing land need of about 6,340 units with a 55/45 single-family/multi-family ratio and a need for commercial land sufficient to accommodate 16,000 jobs. He suggested there were interventions the City could employ to facilitate development, such as mixed-use development and the rezoning of industrial areas for commercial and mixed use. Councilors asked questions clarifying the details of the presentation.

Mr. Brown determined that staff had an assessment of vacant office space and intended to review it more carefully as the inventory was a constantly changing moving target. Mr. Brown requested that information when it was available. He also requested a more fine-grained map of commercial employment and the industrial lands proposed for redesignation to commercial.

Mr. Pryor observed that many of the topics mentioned in the presentation, such as financial incentives and EmX, were controversial and difficult. He did not envision the process ahead would be easy. He believed each issue needed to be addressed in the context of the overall goals and the connections between items clearly mapped. He asked staff to provide the council with information about best practices in other areas and the “track record” of recommended choices.

Mr. Clark agreed with the remarks of Mr. Pryor. He observed that many of the incentives mentioned in the presentation were already used to achieve the goal of greater density and more mixed-use development. He recalled that the City offered similar incentives when it identified areas for nodal development without significant success and hoped the City could think more creatively about additional incentives.

Mr. Clark said the City was basing its land need on the State’s projection rather than its own aspirations. He challenged the council to do better than that if it was serious about increasing employment. He did not think the State’s .9 percent job growth number was adequate because the community needed more jobs at a faster pace.

At the request of Mr. Zelenka, Mr. Hostick explained the methodology used by staff to create the baseline for redevelopment for commercial redevelopment and multi-family development. City Manager Ruiz emphasized the relationship of the Seven Pillars to the methodology and said he encouraged staff to be aggressive but reasonable. Mr. Zelenka endorsed the standard of “aggressive but reasonable.” Ms. Weiss said the City could employ the State “safe harbor” projection mentioned by Mr. Clark or it could develop its own growth forecast based on local conditions; that would not be a safe harbor. Another State projection was expected in January 2012. The council would ultimately decide what projection to use.

Mayor Piercy suggested the council needed to consider both the Seven Pillars and its own council policies as it moved forward. She questioned the use of past trends in light of what she believed was a national trend toward more multi-unit dwellings. She asked how the council could reframe the issue of multi-family dwellings for Eugene to get greater community acceptance. The City was experiencing multi-family development people did not like in many areas and she suggested the council frame what a good multi-family dwelling was, how it would work in Eugene, where such development had been successful, and why. She agreed that the financial incentives could be controversial and emphasized the need to tie the incentives to the council’s goals. She liked the idea of having more incentives.

Mr. Clark asked about the likelihood of a legal challenge if the City decided to adopt a higher job growth percentage. Ms. Weiss said the City had to have a basis for its projection and could not merely be aspirational. The City must be specific about what it would do to create those jobs and able to justify its projections. Mr. Clark asked if the City could use the Joint Elected Officials Regional Prosperity Plan for that purpose. Ms. Weiss said the Technical Resource Group believed the City needed to develop an implementation plan for the Regional Prosperity Plan. Mr. Clark suggested a work session be held on the topic.

Mr. Brown wanted the council to give the current list of incentives more scrutiny and recommended that staff look into the more modest development incentives offered by Boulder, Colorado. He said that Boulder required companies to remain in the community for a mutually agreed number of years before they received tax rebates. He also wanted the council to look into the Arizona law that severely limited the development incentives that cities could provide.

**B. WORK SESSION:
Tri-Annual Report to City Council from Police Auditor**

The council was joined by Police Auditor Mark Gissiner. Mr. Gissiner reviewed highlights of his tri-annual report, copies of which were provided to the council. Councilors asked questions clarifying the details of the report.

Mayor Piercy thanked Mr. Gissiner for the Police Auditor’s newsletter, which she frequently shared with others. She continued to be concerned about the nature of the oversight system for the University of Oregon’s Department of Public Safety (DPS), the relationship between the DPS and EPD, and the importance of ensuring people’s rights were preserved.

Ms. Ortiz and Mr. Brown concurred as to the value of the newsletter. Ms. Ortiz shared Mayor Piercy’s concern about the lack of civilian oversight for the DPS. Responding to a question from Ms. Ortiz about the potential involvement of the Civilian Review Board (CRB) and Police Auditor in the proposed Hate Crimes Conference, Mr. Gissiner anticipated that some CRB would be interested in participating. Ms. Ortiz encouraged that participation.

Mr. Farr referred to the remaining items of interest related to the DPS identified by Mr. Gissiner in his presentation and suggested the council review those items to determine how to be better prepared to address them in the future. Mayor Piercy concurred.

At the request of Mr. Zelenka, Mr. Gissiner provided a brief overview of the proposed DPS oversight system. Mr. Zelenka was glad to see Mr. Gissiner was involved in the UO Police Complaint Resolution Working Group. He believed that the presence of the DPS officers would take pressure off the EPD for responses at the periphery of campus.

Mr. Brown expressed appreciation for the Police Auditor input into the search and seizure policy recently reviewed by the Police Commission.

Mr. Clark expressed appreciation to Mr. Gissiner for his continued communication with the council.

The council then addressed the Consent Calendar, which was on the agenda of the regular meeting scheduled for 7:30 p.m.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - September 26, 2011, Regular Meeting
 - October 17, 2011, Work Session
- B. Approval of Tentative Working Agenda**

Mr. Brown, seconded by Mr. Poling, moved to approve the items on the Consent Calendar. The motion passed unanimously, 7:0; Ms. Taylor was out of the room at the time the vote was taken.

Mayor Piercy adjourned the meeting at 7:10 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

January 9, 2012
7:30 p.m.

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

COUNCILORS ABSENT: Alan Zelenka.

Her Honor Mayor Kitty Piercy called the January 9, 2012, regular meeting of the Eugene City Council to order.

1. CEREMONIAL MATTERS

Mayor Piercy read the following proclamation into the record:

WHEREAS: The University of Oregon is an invaluable “town and gown” partner and an important voice and resource in our efforts to address community and neighborhood issues. The university’s spirit of collaboration and communication is strong and greatly appreciated; and

WHEREAS: We are proud of the University of Oregon’s academic success and its economic and cultural contributions to the Eugene community; and

WHEREAS: The University of Oregon serves more than 21,000 current students and has more than 160,000 alumni around the world. It is home to top programs in architecture, law, education and sports business and continues to gain ground in all areas; and

WHEREAS: We value the partnership between the City and the university in planning for and implementing the 2012 Olympic Track and Field Trials; and

WHEREAS: We were proud to honor both athletic and academic champions at the 2011 Celebrating Champions Parade. The parade was a great opportunity to take stock of and celebrate many local community, academic, and athletic champions; and

WHEREAS: The University of Oregon football team achieved great success during the 2011 football season, culminating in a win at the Rose Bowl on January 2, 2012, their first victory at this event since 1917; and

WHEREAS: The University of Oregon has been the outright PAC-10/PAC-12 champion in football for three consecutive seasons; and

WHEREAS: The exemplary achievements of University of Oregon athletes, students, faculty and staff bring pride to Oregonians and UO alumni everywhere,

NOW, THEREFORE, I, Kitty Piercy, Mayor of the City of Eugene, do hereby proclaim Monday, January 9, 2012, as

“University of Oregon Appreciation Day”

and encourage all citizens to recognize and honor the accomplishments and contributions of the University of Oregon staff, faculty, students, athletes, and supporters.

**2. ACTION:
Election of City Council Officers for 2012**

Councilor Taylor, seconded by Councilor Brown, moved to elect George Brown as President of the City Council for 2012. Roll call vote: The motion passed unanimously, 7:0.

Councilor Brown, seconded by Councilor Taylor, moved to elect Pat Farr as President of the City Council for 2012. Roll call vote: The motion passed unanimously, 7:0.

3. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Ernie Short asked the council to support the many workers employed by the United States Postal Service and to oppose the closure of the Gateway mail processing facility, which would result in reduced community service. He asked the council to communicate with the manager of the Portland district and shared a sample letter. Mr. Short also shared a commentary from Gary Jarvis from a recent edition of *The Register-Guard* and a factsheet.

Gary Jenkins, 96939 Prairie Road, reiterated past testimony about his family’s encounter with the police, which resulted in the arrests of his wife and son, and asked the council to become involved.

Dennis Gabrielson, 300 South 10th Avenue, Creswell, criticized Mayor Piercy for what he perceived to be procedural errors made at past council meetings.

Bob Brown, 1728 Ferry Street, suggested Occupy Eugene reflected unmet needs and people’s need to feel safe. He hoped the community’s leaders could come together to address those issues but feared the community would remain divided and people’s expressions would become more desperate and violent.

Jean Stacey, 944 West 12th Alley, expressed sympathy to Mr. Jenkins on behalf of all present. She said the community needed to consider what some police were doing and hoped the City looked into that in the future. The actions of the police had a great impact on the homeless. She advocated for consideration of tent cities to house the homeless and help them toward self-sufficiency. She cited the Share Wheel in Seattle and Dignity Village in Portland as examples to follow.

Joe Tyndall 361 West Broadway, said that Rick Youngblood became the 112 homeless person in Eugene-Springfield to die prematurely from natural causes in 2011. His tragic death was used to force the closure of Occupy Eugene, which was making inroads toward solving homelessness. He said no

transition services promised were provided and the homeless were instead dispersed. He suggested that the City cynically broke the group into smaller units so when dispersed it was easier to handle.

Maria Jenkins, 96939 Prairie Road, reiterated past testimony about her family's encounter with the police, which resulted in her arrest and the arrest of her son and asked the council to become involved.

Teresa Bishow, 2911 Tennyson Road, Suite 400, represented Arlie and Company. She supported Resolution 5051 pertaining to the Veterans Clinic. She said that Arlie and Company believed the resolution offered the City a clear and simple way to clarify its code interpretation without the legislative gymnastics that hindered the draft code amendment. Arlie and Company supported the City's attempt to clarify that a Veterans Administration Clinic was permitted on land zoned I-1, Campus Industrial, and supported the City's effort to provide assurance to the Veterans Administration that it had land suitable for a new outpatient clinic. The resolution safeguarded the allowance of the Veterans Administration on non-industrially zoned land that permitted other medical health treatment facilities. She trusted the City to ensure the provision of concurrent public infrastructure.

Steven Wilson, 4549 Souza Street, criticized Councilor Poling for failing to react favorably to the naked women who protested outside his house on Christmas Day. He criticized Councilor Poling's opposition to the allowance of warming fires at the Occupy Eugene encampment.

Alley Valkyrie, 1760 Olive Street, also criticized Councilor Poling for his reaction to trespass at his house on Christmas Day and for characterizing the Occupy Eugene protesters as terrorists. She defended the protest by saying protest at the houses of elected officials was a time-honored American tradition and that Councilor Poling made a decision that offended and affected many people.

Dan Liev, 174 West K Street, Springfield, criticized the council for its decision to end the Occupy Eugene encampment and for not doing enough for the homeless. He encouraged the councilors to join their Occupy Eugene constituents to try for solutions that transcended the limits of money and political reality.

John Monroe, 1760 Olive Street, concurred with previous speakers regarding the Occupy Eugene encampment. He said the homeless were capable of taking leadership roles and helping themselves and those around them. He averred that the homeless had moved out of town for fear of reprisals from the police and Occupy Eugene had lost the opportunity to assist them. He questioned the current hierarchal approach to service delivery. He spoke of a person who had been homeless for 15 years yet managed to run the Occupy Eugene kitchen successfully and suggested he was just one of many examples of the homeless finding success at Occupy Eugene.

Michael Gannon, PO Box 10324, Eugene, 97440, discussed the importance of salmon to the Northwest, particularly to native peoples, explorers, and early settlers. He asked the City Council for support and to talk to his organization's lobbyist about salmon and the bottle bill.

Maggie advocated for more public funding for housing and health care and called for collaboration to determine how to house people more humanely and efficiently. She asserted that the directors of agencies such as United Way and St. Vincent de Paul were paid millions of dollars that could instead be spent on housing for the homeless. She advocated for the warming centers to be open before temperatures reached the freezing point.

Johnny Lake, 650 Harlow Road, Springfield, asserted he was racially profiled by the Eugene police on a regular basis because of his race. He said people made judgments based on appearance all the time, and

suggested that people did not need much information to confirm something they already thought was true. Dr. Lake said that others he worked with who were white did not have the same experience.

Kristin Taylor, 132 East Broadway, Suite 200, TGS Architects, represented *The Register-Guard*. She spoke in support of Resolution 5051. She said adoption of the resolution was essential if potential Eugene sites were to be selected by the Veterans Administration for an outpatient clinic.

Bill Kloos, 375 West 4th Avenue, #204, spoke in support of the Resolution 5051 on behalf of Aquas Development. The company hoped to be the developer selected to develop a Veterans Administration Clinic on *The Register-Guard* site. He acknowledged there was likely to be opposition to the council's interpretation from other potential developers. Mr. Kloos believed that if the council passed the resolution it would not be picking a site but rather would be expanding the number of sites available for such a use. He said that the interpretation merely identified a Veterans Administration clinic as a government service and the interpretation would not impact the Zoning Code. There would only be one such clinic in the community and the issue was where it would be. Mr. Kloos recalled that his client requested such a code interpretation from the Planning Director, who provided the interpretation but was subsequently reversed by the Hearings official. Staff sought council action because a private party could not. He believed adoption of the resolution placed the council in a defensible position in the case an appeal was filed.

Bob Macherione, 1994 Brewer Street, expressed his support for Councilor Poling and advised members of Occupy Eugene that if they wished to change people's opinions they should avoid attacking people's families and children. He said one must earn respect to receive it. He said Mr. Youngblood was not a martyr; instead, he was a victim of Occupy Eugene. His death happened at Occupy Eugene. He attributed the situation to the council's decision to allow the encampment in a public park without a permit or bond to indemnify the taxpayers against the cost of something going wrong. Mr. Macherione said the council placed Councilor Poling in a difficult position and recommended it apologize to him. He believed the council had divided and polarized the community and any support he had for the cause of Occupy Eugene was eroded by its actions. He said that Occupy Eugene should have been required to follow the rules.

Dennis Randazzo, 1851 NE 60th Avenue, Portland, expressed opposition to Resolution 5051. He referred to a packet of materials he had provided to the council. He did not think the resolution was about improving the I-1 zone but about competing for a real estate deal. He said the Hearings Official had determined that a Veterans Administration clinic was not an appropriate use and declined to approve an interpretation involving the same property, same owner, and same developer. He agreed with that decision. He believed staff was asking the council to "wave its magic wand" when it had not done the due diligence to determine the impact such a facility in an I-1 zone would have. He thought that should be considered and asked the council to decline to adopt the resolution.

Charles Hibberd, 5555 West 11th Avenue, noted the mayor had placed an emphasis on jobs in her recent State of the City speech but Eugene had a perception as a bad place to do bring a business. He was unsure how the City could overcome that perception. He apologized to Councilor Poling for the behavior of those who protested at his home. He said that when the Tea Party held a protest it went through the permitting processes and left the area clean. He said that laws prohibiting camping were in place for a reason and he believed that those in charge should have known the situation would grow out of control.

James Mattheson expressed support for the establishment of a Veterans Administration outpatient clinic. He then turned to his son and confirmed he was very upset when he had to leave the Occupy Eugene

encampment at Washington-Jefferson Park and had been scared because he did not know where he was going to go.

David Piccioni expressed his support for Occupy Eugene. He had seen nothing as organized, communal, or democratic as Occupy Eugene during his time in the community. He said he would never apologize to Councilor Poling unless Councilor Poling apologized for putting people out in the cold. Mr. Piccioni said people had nowhere to go unless they went to the Eugene Mission, where they had to pray. He read excerpts from a police report regarding the encampment and denied any of the report's contents were true.

Jennifer Frenzer, 380 East 34th Place, suggested the Bill of Rights was embodied by the day-to-day interactions and exchanges between local government and the citizens and law enforcement and the citizens. All were learning their roles in making democracy work and she considered that very important. Ms. Frenzer advocated against overreacting because that played into the hands of those wishing to usurp the democratic process. It was not her goal as a protestor to frighten or be aggressive but she would be bold, provocative, and exercise her free speech rights to their fullest extent. She called for the country's "full democratic process" to be restored in her lifetime. She said that Occupy Eugene was not a dangerous group. She said terrorists would have nothing to do with Occupy Eugene and Occupy Eugene would have nothing to do with them.

Elizabeth Yandel, 1022 West 4th Avenue, thanked all those who cared enough to express themselves in such a setting. She asked the council to adopt a resolution stating that the City of Eugene did not recognize corporations as persons and to take the stand that businesses that did not pay taxes were not welcome in the community. She advocated for all to be fairly treated under the law and suggested enforcing laws written in and applicable to the past was inappropriate. Laws not written in the spirit of protecting and serving all people were not acceptable.

Mayor Piercy closed the Public Forum. She thanked those present for coming and expressed support for their attendance at the meeting. She said all councilors strove to make good decisions and supported staff when it operated within council direction. If staff did what the council asked of it, the council was responsible for staff's actions. Mayor Piercy supported all councilors' rights to their opinions. She pointed out that those who offered the council testimony were not necessarily supported by evidence or facts, represented their own opinion, and could only be a part of the whole story.

Speaking to the Jenkins, Mayor Piercy reiterated that the council was constrained by the City Charter from addressing City personnel issues.

Mayor Piercy encouraged those offering testimony to speak in a way that allowed them to be heard by most of Eugene and to recognize that citizens held different opinions. She believed the more one opened one's self up to expressing an opinion in a way that allowed others to have a different opinion, the better off the community would be.

Mayor Piercy solicited council comments.

Councilor Pryor expressed appreciation for the passion in the room. He weighed the arguments about an issue on their merits and regardless of who raised them. Councilor Pryor called for a focus on the issue and not on the individual. He advocated for civility and asked people to refrain from personal attacks.

Councilor Taylor also thanked those who offered testimony. She regretted that the encampment was closed so and closed so abruptly. She was glad for the formation of the task force charged to formulate solutions for the homeless but thought that effort should have occurred before the camp closed. Speaking

to the testimony offered by Mr. Short regarding the post office, Councilor Taylor said she supported a post office that served everyone and considered the post office to be an important part of the democracy.

Councilor Ortiz expressed appreciation for the remarks of Mayor Piercy and Councilor Pryor. She requested a copy of the letter supplied by Mr. Short and hoped the council could support the postal workers. Speaking to the testimony offered by Dr. Lake, Councilor Ortiz said everyone had a different experience in the community and Dr. Lake had the experience he mentioned. She acknowledged the challenge it could be for people of color or not of the dominant race to live in Eugene.

Councilor Poling thanked Mr. Madison for his service to the country. He thanked the many citizens who had contacted him for their words of support and encouragement. It meant a great deal to hear from those on both sides of the issue about his right to make a decision he considered to be the right decision. He also thanked the members of the Eugene Police Department who responded to his wife's call for assistance on Christmas Day. All officers had responded with the utmost professionalism in spite of protestors' attempts to bait them into a confrontation and he commended them for their actions.

Councilor Clark also expressed appreciation for those who spoke and appreciation for the work of the Eugene Police Department. He commended the remarks of Councilor Pryor. He said he respected many of the Occupy Eugene participants although he did not necessarily agree with them. He hoped people could rise above their disagreements. Councilor Clark said the United States was not actually a democracy but a constitutional republic, and the position he held belonged to the people of Ward 5. He attempted to represent them as best he could and speak for them as he understood their values. He hoped that the Occupy Eugene participants understood that not everyone agreed with them and the councilors were trying to do the best they could to reflect the will of their constituents.

4. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - October 24, 2011, Regular Session
 - November 9, 2011, Work Session
 - December 20, 2011, Emergency Meeting
- B. Approval of Tentative Working Agenda**
- C. Adoption of Resolution 5050 Acknowledging Receipt of the City of Eugene, Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2011**
- D. Appointments to Expenditure Panel for the Downtown Urban Renewal Plan**
- E. Adoption of Resolution 5051 Clarifying that an Outpatient Clinic Operated by the United States Department of Veterans Affairs is a "Government Service"**

Councilor Brown, seconded by Councilor Poling, moved to approve the items on the Consent Calendar.

Councilor Poling pulled item E.

Roll call vote: The motion, with the exception of Item E, passed unanimously, 6:0; Councilor Farr no longer being on speakerphone.

Councilor Poling recalled that he had asked City staff if it had contacted the Land Use Board of Appeals for a sense of its position on the resolution and learned that was not allowed. He had also asked about precedents that might exist and reported that staff could find none. Councilor Poling believed the council was moving in the right direction in its efforts to locate a Veterans Administration clinic in Eugene for the

good of veterans already here and those who would return shortly. He agreed with testimony suggesting that the council was not deciding where the clinic should go, but rather was enlarging the number of potential sites. He expressed appreciation for the materials submitted by Mr. Randazzo and for the point of view he expressed in his cover letter.

Roll call vote: The motion passed unanimously, 6:0.

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

**5. ACTION:
Adoption of Resolution 1063 Acknowledging Receipt of the Annual Financial Report of the Urban Renewal Agency of the City of Eugene, Oregon, for the Fiscal Year Ended June 30, 2011**

City Manager Jon Ruiz reported that the City's audit firm, Isler CPA, had completed its audit of the agency for the fiscal year ending June 30, 2011, and issued a clean opinion, which indicated the information was accurate and reliable. The auditors found nothing that suggested the agency was not in compliance with applicable laws and regulations. He asked the City Council, acting as the Board of Directors of the Urban Renewal Agency, to adopt the resolution.

Councilor Brown, seconded by Councilor Poling, moved to adopt Resolution 1063 acknowledging receipt of the Annual Financial Report for the Urban Renewal Agency of the City of Eugene for the fiscal year ended June 30, 2011. Roll call vote: The motion passed unanimously, 6:0.

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

Mayor Piercy adjourned the council meeting at 8:57 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

January 23, 2012
 7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the January 23, 2012, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Ariana Fancher, Ward 6, supported revisions to the City Code that allowed residents to raise goats inside the city limits. She spoke of the values of goats, including their use for food production, which allowed for sustenance and self-reliance.

Alexandra Rempler, Ward 2, spoke of the many United States communities that allowed goat-keeping. Those communities administered codes that prohibited noise, excessive odors, and goats at large, as well as unsanitary conditions that attracted insects by limiting goat numbers to 2-3 per residential lots. In addition many codes required goats to be dehorned and male goats to be neutered and provided for setbacks. In addition, many cities required goats to be licensed. Ms. Rempler particularly commended Seattle's ordinance to the council.

Genie Harden, 85240 Chezem Road, also supported code changes that would allow for urban goats. She asked the council to hold a work session as soon as possible to allow residents to keep goats as soon as possible. She spoke of the many benefits of goats and submitted pages 88-89 of the City of Eugene Food Security Resource and Scoping Plan, which include the plan's recommendations for changes to Eugene Code 9.5250 to expand the ability of citizens to engage in microlivestock husbandry.

Carla Newbre, Ward 1, expressed regret for recent testimony in the public forum aimed at Councilor Poling and said she had shared her strong disapproval with the individual in question, who was not affiliated with Occupy Eugene and who was unknown to the group's members. She spoke of her work as a peacekeeper at that day's "Ninja March" and said she had offered people peace, love, and happiness or chocolate money; many people accepted the peace, love, and happiness. She wished the council peace, love, happiness, health, and abundance.

Joe Tyndal, Ward 7, agreed with Ms. Newbre's remarks about the testimony directed at Councilor Poling and suggested the individual in question may have been an agent provocateur. He suggested the council investigate what he termed "the maneuvering" that led to the Occupy Eugene encampment being shut down. He doubted the police's accounts of Molotov cocktails and outdoor sex. He suggested the police had dumped troublemakers on the site and that Occupy Eugene and the council were "played" by factions manufacturing a case they could not win on its merits. Mr. Tyndal invited Councilor Poling to participate in a discussion with Jean Stacey on an Occupy Eugene broadcast.

Dennis Gabrielson, 300 South 10th Street, Creswell, emphasized with the professor who spoke of profiling at the last public forum as Mr. Gabrielson maintained he had also been profiled by officers when working at night. He went on to aver that councilors misspoke at a recent meeting when they informed an individual they could not open a Police Auditor case because the council was the employer of the Police Auditor.

Alley Valkyrie, Ward 1, apologized for the *ad hominem* attack on Councilor Poling. She said Occupy Eugene wanted to bring the community up, not tear down individuals, and hoped to work with the council toward that goal. Ms. Valkyrie recalled a councilor had suggested an attack on one councilor was an attack on all councilors and advocated for civility. She agreed, but maintained that Councilor Poling's characterization of Occupy Eugene participants as terrorists was a personal attack. All those in Occupy Eugene felt attacked as a result. She said while Councilor Poling might have been insulted by the comments he heard, they were not personally damaging, but to call someone a terrorist had serious implications. Occupy Eugene participants had been harassed and threatened by Councilor Poling's supporters. She was concerned for her safety because of Councilor Poling's accusation. She suggested that the money spent on the security fence at Councilor Poling's house could have fed and housed many people.

Eugene Drix, Ward 3, spoke on the "State of Now." He suggested the coming year was a year for change, although the nature of that change was not completely known. He said he attended council meetings on a regular basis and loved it. He thought the democracy embodied by the council process made the community work. He recalled some of his past testimony and said he would be back. Drix applauded the First on Broadway building and applauded the council and City Manager Ruiz for facilitating its construction. He suggested to future residents that noise was part of living in the downtown neighborhood.

Terrill Purvis, Ward 5, Occupy Eugene Medical Coordinator, discussed the positive outcomes of Occupy Eugene, which included a free medical clinic on Mondays and Tuesdays supported by donations from doctors and nurses. The clinic had served more than 150 people to date. He said homelessness was still a problem and people still needed help. He reminded the council that one of Occupy Eugene's missions was to help other people in the community. He hoped the work done by the community task force formed by the council led to positive things.

Jean Stacey, Ward 1, expressed concern that the council direction related to allocations to fund the Egan Warming Center was not being implemented and asked the council to follow-up. She looked forward to the next meeting of the Opportunity Eugene Community Task Force on Homelessness. She believed the council would need to think differently about the City Code because she anticipated the task force might approach the council about waivers to current regulations to facilitate more housing for the homeless. She recommended the council start talking with their constituents about that possibility to avoid controversy in the future when the task force made its recommendations.

Sophia Ross, Ward 7, shared the Occupy Eugene mission statement with the council.

Miaya Sustaita, Ward 7, shared information about the "Occupy the Courts" event held the previous week. She reminded the council that Occupy Eugene submitted a petition asking the council to adopt a resolution calling on Congress to pass a constitutional amendment abolishing corporate personhood. She asked when the council would consider the resolution. She was disappointed that Eugene was not the first community to adopt such a resolution.

Randy Cain, Ward 1, discussed the “ninja” iconography adopted by many in the Occupy Eugene movement. He said language and symbols were continually redefined by succeeding generations. He had initially been opposed to the use of the ninja iconography and the combination of the old and new meanings. However, Mr. Cain believed the iconography was meant as a metaphor, not as advocacy for violence. He asked the council to keep that in mind.

Jennifer Frenzer, Ward 2, discussed the evolution of the local Occupy movement and said that the movement would continue to work on behalf of its neighbors and other citizens who had issues that needed the assistance of a large number of people to move forward. She discussed some of the activities of Occupy Eugene, its work with other Occupy cities, and its committee structure. She believed the Occupy movement brought awareness to initiate reforms and reclaim the democratic process from moneyed interests. She said Occupy Eugene looked forward to building bridges with all the councilors.

Zachary Waddell, Ward 1, suggested that residents had surrendered their authority to the council. People did not understand their liberty was in direct proportion to the responsibility they were willing to assume for themselves. He believed it was up to the citizens, not the councilors, to meet the needs of the community. However, people had been “bought off and manipulated” and had sacrificed human connection for less responsibility and comfort. People were complicit in the crimes of the wealthy because they continued to work and consume. Mr. Waddell asked people to imagine an alternative to the profit motive. People could share their best ideas for free. The products of their labor could be made to last and be easily repaired. Advertising and its creation of false needs would be abolished. He said the only legitimate authority could be found in the people. Consensus, rather than representative democracy, was the only legitimate democracy. He acknowledged it would be a challenge to shift to a consensus-based system.

Mayor Piercy closed the Public Forum. She determined from City Manager Jon Ruiz that he would follow-up in regard to Ms. Stacey’s inquiry as soon as possible.

Councilor Farr said he visited the Occupy Eugene encampment and talked to many Occupiers and had not felt threatened personally by Occupy Eugene, but his granddaughter had wondered why he appeared on a deck of cards as the 3 of Diamonds and felt personally threatened by it. He found it offensive, threatening, and outrageous. He could not understand what prompted someone to create such a depiction and suggested it was both cowardly and “off-the-charts” ridiculous.

Councilor Brown thanked the advocates for goats for the information they provided and anticipated the council would hold a work session soon. He thanked the participants of Occupy Eugene for attending and for keeping their issues before the council. He said the task force met the next day and he hoped it could develop long- and short-term solutions. Speaking to the resolution on corporate personhood, Councilor Brown anticipated the council would discuss that soon.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - October 19, 2011, Work Session
 - November 14, 2011, Work Session
 - November 14, 2011, Regular Meeting
 - November 16, 2011, Work Session
 - January 5, 2012, State of the City
- B. Approval of Tentative Working Agenda**

- C. **Adoption of Resolution 5052 Annexing Land to the City of Eugene (Dickinson Properties – A 11-1)**
- D. **Appointment to Metropolitan Wastewater Management Commission**

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

**3. PUBLIC HEARING:
An Ordinance Concerning Personal Property Sale Procedures and Amending Sections 2.835 and 2.855 of the Eugene Code, 1971**

City Manager Jon Ruiz reviewed the ordinance, which shortened the storage time for evidence and allowed the Eugene Police Department's evidence retention schedule to be reconciled with the State standard.

Mayor Piercy opened the public hearing. There being no requests to speak, Mayor Piercy closed the public hearing.

Responding to a question from Councilor Clark, Property Control Unit Supervisor Jason Peterson of the Eugene Police Department indicated the State standard, Oregon Revised Statutes 982.45(2)(b) called for 60 days' retention; following that, notice of the property's retention must be notice published in three locations for another 30 days for a total retention period of 90 days. The City currently held property for six months.

Mayor Piercy determined that no councilors objected to taking action on the ordinance at this time.

Councilor Brown, seconded by Councilor Farr, moved to adopt an ordinance concerning personal property sale procedures and amending Sections 2.835 and 2.855 of the Eugene Code, 1971. Roll call vote: The motion passed unanimously, 8:0.

**4. PUBLIC HEARING:
An Ordinance Ratifying Ordinance No. 20483 Concerning State Traffic Laws and Providing for an Immediate Effective Date**

City Manager Ruiz indicated the council was being asked to take action because of a procedural error at an earlier hearing.

Mayor Piercy opened the public hearing. There being no requests to speak, Mayor Piercy closed the public hearing.

Councilor Brown, seconded by Councilor Farr, moved to adopt an ordinance ratifying Ordinance No. 20483 concerning State traffic laws and providing for an immediate effective date. Roll call vote: The motion passed unanimously, 8:0.

**5. ACTION:
Adoption of Resolution 5053 Approving a Multiple-Unit Property Tax Exemption for Residential Properties located at Willamette and Broadway (First on Broadway, LLC/Broadway Lofts)**

City Manager Ruiz reviewed Resolution 5053, which approved a Multi-Unit Property Tax Exemption (MUPTE) for a residential development to be located at Willamette Street and Broadway. He recommended approval of the resolution because the development would advance the council's goals for downtown and fill a major downtown vacancy.

Councilor Brown recalled his past opposition to MUPTE applications in the West University Neighborhood but supported the use of MUPTE downtown to facilitate downtown residential housing. He thought downtown would benefit greatly from the MUPTE. He believed the developments would encourage additional downtown residential development and the council would then be free to focus the tool on another area of the community.

Councilor Zelenka was happy to see housing built downtown, particularly in the two buildings in question. He said the proposal would bring much-needed housing downtown. He had also opposed the further use of MUPTE in the West University Neighborhood but was happy to support the proposal before the council.

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5053 approving a multiple-family unit property tax exemption for residential property located at 39 West Broadway. Roll call vote: The motion passed unanimously, 8:0.

**6. ACTION:
Adoption of Resolution 5054 Approving a Multiple-Unit Property Tax Exemption for Residential Property located at Willamette and Broadway (858 Pearl St., LLC/Park Place Apartments)**

City Manager Ruiz introduced the item, a resolution approving the application of MUPTE for a residential development at property located 877 East Park Street, a property formerly owned by the City. He recalled that the council approved the sale of the property to the developer, who planned to develop it as apartments. He recommended approval of the application and said it met the criteria related to public benefit.

Mayor Piercy believed the Parks Blocks would benefit from the development by making it a more active area.

Councilor Brown, seconded by Councilor Farr, moved to adopt Resolution 5054 approving a multiple-family unit property tax exemption for residential property located at 877 East Park Street. Roll call vote: the motion passed unanimously, 8:0.

**7. ACTION:
Disposition of Surplus Real Property**

City Manager Ruiz asked the council to approve the sale of City-owned property located along Franklin Boulevard. He reported that the City would retain a portion for future right-of-way but the remainder was

not needed for public purposes. The City received and accepted, subject to council approval, an offer for the property.

Councilor Zelenka acknowledged the configuration of the lot was challenging and asked what would be built there. Urban Services Manager Denny Braud said it was being purchased for retail restaurant development. He indicated that access and egress would be addressed through the permitting process.

Councilor Zelenka determined from City Manager Ruiz that the \$715,000 realized by the sale would be directed to the General Fund and appropriated by the council for public purposes at some future point.

Responding to a question from Mayor Piercy, Mr. Braud indicated the selling price reflected the current real estate market.

Councilor Brown, seconded by Councilor Farr, moved to authorize the City Manager to sell the Franklin Boulevard surplus property to Thomas Fox Properties, LLC consistent with the terms outlined in the Agenda Item Summary. Roll call vote: The motion passed unanimously, 8:0.

8. ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Mayor Piercy expressed appreciation for the electric plug-ins being installed downtown for charging electric cars. She said it was a great step forward. She noted that Eugene was featured that evening on Antiques Roadshow. She reminded the public that the City was seeking members for its boards and commissions.

Mayor Piercy adjourned the meeting at 8:29 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)