

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: City Council Processes

Meeting Date: June 27, 2012
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

This work session is part of an ongoing opportunity for the City Council to discuss how it conducts its business and for City staff to share information on matters potentially affecting council processes. The council meets periodically to talk about its processes and operating agreements.

BACKGROUND

Staffing, resource and technology changes offer opportunities to approach the work of the City differently. The offices of the Mayor, City Council and City Manager's Office are slated to move to the Lane County Public Service Building (PSB) in late August, which will have impacts for work and conference spaces, as well as for public access and public meetings. Also, the pending turnover of the councilor representing Ward 6, given May's election results, raises procedural questions about filling future council vacancies.

This is the first of two summer sessions scheduled on council processes; the next is tentatively set for July 25. The issues to be covered in this session are the following:

- Minutes and meeting records
Records of City Council meetings are currently provided in the following forms: (1) webcast, transmitted live with closed-captioning, accessible on the City's website for two years, then available on DVD at the Eugene Public Library; (2) detailed written minutes, usually available to council for approval within 4-6 weeks of the meeting and, upon adoption, posted to the City's website; and (3) summary of motions, available to the council within one week of the meeting.

Oregon's Public Meetings Law requires that a public body have a sound, video or digital recording or written minutes of its meetings. A verbatim transcript or detailed minutes is not required; however, the record of a meeting, whether preserved in written minutes or as a sound, video or digital recording, must provide a "true reflection" of the meeting and must, at a minimum, contain the following information:

- date, time, and location of meeting
- members present;
- motions, proposals, resolutions, orders, ordinances and measures and their disposition;
- results of all votes and the vote of each member by name;
- the general substance of any discussion on any matter; and
- subject to Public Records Law, a reference to any document discussed at the meeting.

Recognizing available staff and resources, staff plans to maintain the webcasts and to merge the written minutes and summary of motions into a single record. A sample of what elements these combined minutes might include is provided as Attachment A.

- Future office and meeting spaces, August move
Staff will provide an update on the planned August move to the Lane County PSB and obtain feedback for making these changes as effective, efficient and friendly as possible.
- Intergovernmental Relations (IGR)
The IGR Manager essentially has three areas of responsibility – maintenance of general intergovernmental relationships (EWEB, LCOG, regional governmental agencies, federal delegation staff, state legislators, city lobbyists, etc.); involvement with select projects (rail, vets housing, EWEB fire hydrants, telecommunications, etc.); and heavy involvement in Salem during legislative sessions. The City Manager will fill the vacant IGR Manager position on an interim basis with a division manager who will fulfill the first two areas and help develop a new model for the third. This work session provides a opportunity for the council to discuss the evolution of this program area.
- Council vacancies
With Councilor Pat Farr standing for election to the Lane County Board of Commissioners in the November general election for a term beginning in January 2013, questions have arisen about the process for filling council vacancies. The Eugene Charter provides general direction, and relevant sections are provided in Attachment B. Staff has borrowed elements from the boards and commissions recruitment and selection process to outline how a council vacancy could be filled if the council chooses to solicit applications (see Attachment C).

Items planned for discussion at the July 25 process session include the following:

- City Council travel and training
- Retention of council documents
- Implementation of technology to support agenda production and publication process (*a short demonstration of the new meetings management software is tentatively set for July 9*)
- Anticipated logistical changes to meetings process due to move to Harris Hall

RELATED CITY POLICIES

Items for this work session relate to the council goal of “effective, accountable municipal government.”

COUNCIL OPTIONS

The council may provide input and direction for staff follow-up on the issues discussed. No formal action is anticipated at this work session.

CITY MANAGER’S RECOMMENDATION

No recommendations are offered by the City Manager.

SUGGESTED MOTION

No motions are offered by the City Manager.

ATTACHMENTS

- A. Sample minutes
- B. Eugene Charter excerpt: filling a council vacancy
- C. Proposed steps for filling a council vacancy

FOR MORE INFORMATION

Staff Contact: Beth Forrest, Mayor and Council Support Manager

Telephone: 541-682-5882

Staff E-Mail: beth.l.forrest@ci.eugene.or.us

MINUTES

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

January 23, 2012
7:30 p.m.

Councilors Present: Councilor A, Councilor B, Councilor C, Councilor D, Councilor E, Councilor F, Councilor G

Councilors Absent: Councilor H

The Mayor called the February 13, 2012, regular meeting of the Eugene City Council to order.

1. Public Forum (12 participants)

- Three participants spoke in favor of allowing skateboards in bike lanes.
- One participant spoke against allowing skateboards in bike lanes.
- One participant spoke about the benefits of living in Eugene.
- Two participants spoke about homelessness issues.
- One participant spoke about the exclusion zone and criticized the manner with which it was being enforced.
- One participant spoke about her personal legal issues.
- One participant requested a public vote on the proposed West Eugene EmX route.

Council Comments:

Councilor B indicated he would request a work session to consider the skateboard issues.

Councilor G asked staff to provide referral information to the person testifying about her legal issues.

2. Consent Calendar

- a. Approval of City Council Minutes (link to documents and related webcast)

MOTION: Move to approve the minutes of the November 30, 2011, Work Session, December 12, 2011, Work Session, December 14, 2011, Work Session, February 10, 2012.

- b. Approval of Tentative Working Agenda (link to documents and related webcast)

MOTION: Move to approve the items on the Tentative Working Agenda.

MOTION AND VOTE: Move to approve the items on the Consent Calendar. **PASSED 7-0**

3. Action: Bicycle and Pedestrian Master Plan (link to documents and related webcast)

The Pedestrian and Bicycle Master Plan process was initiated in 2010 to provide the City of Eugene with the projects and policies necessary to create a first-class city for bicycling and walking over the next 20 years. The plan includes projects to encourage active transportation like cycle tracks and bicycle boulevards in addition to completing gaps in the pedestrian network. City staff is asking the council to accept the plan as an interim step until it can be adopted as a component of the TSP when it is completed in 2013.

MOTION AND VOTE: Move to accept the Eugene Pedestrian and Bicycle Master Plan prepared pursuant to ODOT TGM Grant No. 26778 and direct the City Manager to integrate the Plan into the proposed TSP update. **PASSED 6-1** (Councilors A, B, C, D, E, and F in favor; Councilor G opposed)

Councilors congratulated all those who had participated in the development of the plan on their efforts.

Councilor C requested additional information about the implementation timeline.

Councilor G expressed dissatisfaction with the scope of the Bicycle and Pedestrian Master Plan.

4. **Action:** An Ordinance to Re-designate and Rezone “The Rexius Site” by Amending the Eugene-Springfield Metropolitan Area General Plan Diagram and Amending the Eugene Zoning Map (City Files MA 11-2 and Z 11-4)

This action item is for a proposal to amend the Metro Plan Diagram and Eugene Zoning Map for property commonly referred to as the Rexius site located south of West 11th between Bailey Hill Road and Wallis Street. This request would change the plan designation and zoning for 27.9 acres of the 40-acre site from Light-Medium Industrial to a combination of Low-Density Residential, Medium-Density Residential and Commercial. Consistency with the required approval criteria is addressed at Exhibit C of Attachment C

MOTION AND VOTE: Move to adopt Council Bill 1234, an ordinance to re-designate and rezone “The Rexius Site” by amending the Eugene-Springfield Metropolitan Area General Plan Diagram and amending the Eugene Zoning Map (City Files MA 11-2 and Z 11-4). **PASSED 7-0**

The council briefly discussed the value of the Rexius property and the need to accommodate and facilitate growth for existing local businesses..

5. **Action:** An Ordinance Concerning Permitted Overnight Sleeping and Amending Section 4.816 of the Eugene Code, 1971.

This item is to consider the future of a temporary amendment to Ordinance 4.816, allowing tents to be defined as vehicles for the purpose of car camping. On December 20, 2011, the council decided to temporarily amend the ordinance to allow tents to be defined as vehicles for the purposes of legal car camping. This was done to increase legal camping opportunities for those displaced by the closure of the Occupy Eugene camp at Washington-Jefferson Park. This temporary provision is set to sunset on April 15, 2012. The council has the option to allow the amendment to sunset, extend the amendment, or make the amendment permanent.

MOTION: Move to adopt Council Bill 5066, an ordinance concerning permitted overnight sleeping and amending Section 4.816 of the Eugene Code, 1971.

Councilor B moved, seconded by Councilor C to amend ordinance and extend the sunset to 12/31/2012. **PASSED 5-2** (Councilors A, B, C, D, and E in favor; Councilors F and G opposed)

VOTE ON MAIN MOTION AS AMENDED: PASSED 5-2 (Councilors A, B, C, D, and E in favor; Councilors F and G opposed)

EUGENE CHARTER (*excerpt*)

Section 23. Vacancies: Occupancy. The office of mayor or office of city councilor becomes vacant:

- (a) Upon the incumbent's:
 - 1. Death;
 - 2. Adjudicated incompetence;
 - 3. Recall from office;
 - 4. Resignation from office.
- (b) Upon declaration by the council of the vacancy in case of the incumbent's:
 - 1. Failure, following election or appointment to the office, to qualify for the office within ten days after the time for his or her term of office to begin;
 - 2. Absence from the city for 30 days without the council's consent or from all meetings of the council within a 30-day period, without the council's consent;
 - 3. If a councilor, ceasing to reside in the ward from which elected; if the mayor, ceasing to reside in the city;
 - 4. Ceasing to be qualified elector under state law; or
 - 5. After election, conviction of an offense pertaining to the office.

Section 24. Vacancies - Filling.

(1) The Eugene Water & Electric Board shall fill a vacancy on the board by appointment within ninety days after the vacancy occurs.

(2) The council shall fill a vacancy in any other elective city office by appointment within ninety days after the vacancy occurs. A person so appointed shall hold office until the successor to the office is duly elected and qualifies therefor.

(3) If the position of a city councilor or mayor becomes vacant more than 100 calendar days prior to the May election of any year, an election to fill that vacancy shall be conducted in the same year. If the position of city councilor or mayor becomes vacant less than 100 days prior to the May election of any year, the election to fill that vacancy shall be conducted the next year. If a candidate for election to a vacated position achieves a majority of all votes cast for that position in the May election, that candidate shall assume office the following July 1, notwithstanding Section 21 of this charter. The term of office of any person elected to fill a vacancy shall expire when the term of the vacated position expires.

PROPOSED STEPS FOR FILLING COUNCIL VACANCY *

1. Develop application
2. Publicize appointment opportunity
 - Press release
 - Media announcements/display ads
 - Webpage announcement
 - Notice to stakeholder groups
 - Word of mouth

	Days prior to appointment
3. Application deadline.....	50-60
4. Submitted applications to council.....	45-50
5. Ballot for interviews due	30-40
6. Conduct interviews	14-21
7. Ballot for appointment.....	10-14
8. Appointment (<i>contingent on date current councilor submits resignation</i>)	

* Timeline provided for vacancies identified in advance, subject to modification by council in other circumstances.