

MINUTES

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

March 12, 2012
7:30 p.m.

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

COUNCILORS ABSENT: Mike Clark, Betty Taylor.

Her Honor Mayor Kitty Piercy called the March 12, 2012, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Lars Henke, Ward 1, advocated for improved skateboard facilities in Eugene, particularly around the University of Oregon campus, and changes to the City Code that classified skateboarders as cyclists rather than pedestrians to allow them to use bicycle lanes. He reported on student surveys that indicated support for his recommendations.

Kortney Jolley, Ward 1, agreed with the remarks of Mr. Henke. She proposed that Eugene pass legislation modeled after Title 16 in the City of Portland's code, which reclassified skateboarders as cyclists. She anticipated that such an action would result in more places for skateboarders to ride lawfully and increased pedestrian safety. The revised regulations would be more enforceable. She hoped to see the changes create a more comfortable commuting environment for those who used skateboards.

Judi Horstmann, Ward 3, urged the council to accept the Bicycle Pedestrian Master Plan (BPMP) and direct the City Manager to incorporate it into the Transportation System Plan update. She urged that the BPMP be funded and recommended that the City reinstate the Sidewalk Infill Program. She also urged council support for a new street repair measure that supported active transportation and encouraged the council and staff to rethink the City's definition of collectors and arterials to include streets with high volumes of bicycle use.

Irene Cardenas, Ward 1, advocated for a homeless camp so the homeless could be integrated into the socio-economic structure. She said there were successful examples of such camps in other communities.

Joe Tyndall, Ward 1, discussed a recent incident involving a member of Occupy Eugene and an officer of the Eugene Police Department (EPD). He maintained the involved officer had perjured himself and asked what the City was going to do about it. Mr. Tyndall opposed other contemplated regulations that he believed were aimed against the homeless in downtown, such as a ban on dogs. He was opposed to tax breaks for the proposed Capstone development. Mr. Tyndall concluded by asserting that the downtown

crime rate had dropped by 90 percent while the Occupy Eugene encampment was open and suggested it was a good alternative to the Downtown Public Safety Zone (DPSZ).

Kayla Schott-Dressler, Ward 7, representing the Lane Coalition for Healthy Active Youth, asked the City Council to adopt a "Health for All" policy and that public health be considered at all stages of the policy development process in order to achieve a sustainable community. She said her organization would be happy to partner with the City.

Kimberly Gladen, Ward 1, favored the proposal to expand the car camping program to allow tents. She suggested it was the least that the City could do and criticized the community for not doing more to help the homeless. She criticized local activists for targeting the downtown for its actions, which put stress on local low-income people, low-income downtown workers, and small unique downtown businesses rather than major chains. She suggested the community would have an open homeless shelter by now if activists spent half the time raising money that they put into actions.

James Scott, Ward 7, discussed the impact of a new development on North Seneca Street, an unimproved City street. He said the City allowed the building to be built without adequate drainage, leading to the formation of a large body of water on the street. Mr. Scott did not object to maintaining the street but could not do so without drainage. When he contacted the Public Works Department it was suggested to him that he dig a ditch on the other side of the street, but that would require that he dig up the sidewalk, Eugene Water & Electric Board accesses, and the new development's driveway. Mr. Scott requested the council's assistance.

Alley Valkyrie, Ward 1, shared her version of an encounter she had with an EPD officer downtown. She averred she was cited not because she committed a crime but because the officer disliked her. Subsequently, the charges were dropped. Ms. Valkyrie challenged the details of the police report. She questioned how many of the people who were arrested for trespass in the community had been convicted on the officer's word and called for a review of all the criminal trespass citations written in the DPSZ in the past year.

Kathy Ging, Ward 3, asked that the community be allowed to vote on the Capstone Collegiate Communities Multi-Unit Property Tax Exemption application. She did not support the number of student tenants being proposed by Capstone and questioned how that many students in the downtown core would enhance the community's quality of life. She noted some of the concerns expressed by residents at a neighborhood association meeting, which included the noise from the proposed development and the impact of residents' behaviors on nearby senior residents. Ms. Ging suggested that instead, the site be developed with owner-occupied condominiums and occupants offered 40-50 year mortgages with no penalty for prepayment.

Mayor Piercy closed the Public Forum and thanked those who spoke. She determined that Councilor Farr planned to request a council work session on the issues raised by Mr. Henke and Ms. Jolley. Speaking to testimony advocating for funding for the BPMP, Mayor Piercy reported the City was seeking federal funding as part of its United Front effort. Speaking to testimony advocating for the incorporation of public health considerations in City policies, Mayor Piercy noted the work the City had done to tie health considerations to its planning for land use and transportation. Speaking to the comments of Ms. Ging, Mayor Piercy noted that apartments were planned for the former Taco Time Building and former City Hall II, but she understood there was very little bank financing for condominium development at this time.

Councilor Ortiz thanked those who spoke. Speaking to Mr. Scott's comments about North Seneca Street, Councilor Ortiz reported that Mayor Piercy had shared photographs of the street with the council. City Manager Jon Ruiz was examining available funding sources to determine what could be done. She hoped to see action by the next winter.

Councilor Poling also thanked those who spoke. He expressed appreciation for the comments he had received from constituents who supported the motion he offered the Budget Committee to return \$65,000 to Animal Services. He noted that many of those who contacted him either worked for or volunteered for animal rescue groups and suggested they should be thanked for the work they did. He also expressed appreciation to the Budget Committee for supporting the motion.

Councilor Farr emphasized the importance of increasing street maintenance funding to prevent additional North Seneca Roads from happening.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - November 30, 2011, Work Session
 - December 12, 2011, Work Session
 - December 14, 2011, Work Session
 - February 10, 2012, Retreat
- B. Approval of Tentative Working Agenda**

Councilor Brown, seconded by Councilor Farr, moved to approve the items on the Consent Calendar. Roll call vote: The motion passed unanimously, 6:0.

3. ACTION: Eugene Bicycle and Pedestrian Master Plan

City Manager Jon Ruiz introduced the item, reminding the council that the master planning process was initiated in 2010 and was intended to provide the community with the policies and projects needed to create a first-class city for bicycling and walking over the next 20 years. He asked the council to accept the plan as an interim step until it could be adopted as a component of the Transportation System Plan when adopted in 2013.

Councilor Brown, seconded by Councilor Farr, moved to accept the Eugene Bicycle and Pedestrian Master Plan prepared pursuant to ODOT TGM Grant No. 26778 and to direct the City Manager to integrate the plan into the proposed Transportation System Plan update.

Responding to a question from Councilor Zelenka about next steps in moving the plan to the project-level stage, Associate Transportation Planner Reed Dunbar said staff would ask the Bicycle and Pedestrian Advisory Committee to prioritize the projects in the plan and would use the list as a working document to review biannually when City staff applied for grants and other available moneys.

Councilor Farr was pleased to see that bicycle and pedestrian improvements were planned for and occurring all across the community.

Mayor Piercy noted the several innovative bicycle facility improvements that had occurred close to campus and were being enjoyed by many residents, who liked being in bicycle lanes that did not compete with vehicles.

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

4. ACTION:

An Ordinance to Redesignate 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)

City Manager Ruiz introduced the item, a proposal to redesignate and rezone 27.9 acres of the 48-acre Rexius site from Light-Medium Industrial to a combination of Low-Density Residential, Medium-Density Residential, and Commercial. He reported that the Eugene Planning Commission had unanimously recommended approval of the proposal. Findings of consistency with applicable City plans and policies were found in Exhibit C of the Agenda Item Summary included in the council meeting packet. Planner Steve Ochs was present to answer questions.

Mr. Brown expressed support for the ordinance as he believed the site would be put to a better use.

Councilor Brown, seconded by Councilor Farr, moved to adopt Council Bill 5065, an ordinance to redesignate 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).

Responding to a question from Councilor Zelenka about potential conflicts between industrial and residential uses on the property, Mr. Ochs anticipated the residential development would have a VPD overlay so it would have to demonstrate compatibility with the industrial site. Any proposal would go through the planned unit development application process with a decision made by the hearings official to determine compatibility. Twenty-foot setbacks and screening would be required.

Mr. Pryor was pleased to see the proposal because it was consistent with other work the council had done regarding redevelopment along West 11th Avenue. It would lead to a mix of uses. He hoped it was just the beginning of the gradual transformation of the entire area.

Councilor Farr believed the envisioned development would be a more appropriate use for the site.

Councilor Zelenka agreed with Councilor Farr and Councilor Pryor.

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

5. ACTION:

An Ordinance Concerning Permitted Overnight Sleeping and Amending Section 4.816 of the Eugene Code, 1971

City Manager Ruiz recalled that in December 2012 the council adopted a temporary amendment to Eugene Code Section 4.816 that allowed tents to be redefined as vehicles for the purpose of car camping. He recommended the ordinance be extended to the end of the calendar year and said staff would use that

time to evaluate the effectiveness of the amendment. Council Coordinator Beth Forrest distributed an amended ordinance with a sunset date of December 31, 2012. City Attorney Kathryn Brotherton was present to answer questions.

Responding to a question from Councilor Brown about the reason for the selected sunset date, Community Programs Analyst Michael Wisth said staff planned to do a long-term feasibility study of including tents in the definition of vehicles. There were only two current tent sites and staff hoped to have a larger sample size to evaluate the long-term effects of the change before returning to recommend a permanent amendment to the ordinance. Councilor Brown suggested the effort might be moot if there were no more tent sites and he questioned why the sunset would be in the middle of winter rather than later in the spring.

Councilor Brown, seconded by Councilor Farr, moved to adopt an ordinance amending Section 5 of Ordinance No. 20484 to extend the sunset date to December 31, 2012.

Councilor Zelenka determined from City Manager Ruiz that the manager concurred with Mr. Wisth's remarks regarding the need for more data.

Speaking to earlier testimony in the Public Forum, Mayor Piercy said none of the council believed a tent camp would solve the community's homeless issue or was ideal for most people to live in. The amendment was an attempt to ensure that people were not totally unsheltered.

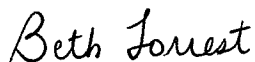
Responding to a question from Councilor Ortiz, Mr. Wisth said St. Vincent de Paul's contract for the car camping program was up for renewal in August 2012. Councilor Ortiz hoped that whatever data was gathered would be folded into the contract. She supported the sunset and wanted to know if the program was working. She hoped to see other solutions to the problems of homelessness.

Councilor Farr supported the motion. He agreed with the mayor's remarks. He reminded the audience of Eugene's long history of providing assistance to the homeless. He believed Eugene led the nation in its efforts and was doing its best with the resources it had.

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

Mayor Piercy adjourned the meeting at 8:37 p.m.

Respectfully submitted,



Beth Forrest
City Recorder

(Recorded by Kimberly Young)