

MINUTES

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

February 13, 2012
5:30 p.m.

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

COUNCILORS ABSENT: Alan Zelenka.

Her Honor Mayor Kitty Piercy called the February 13, 2012, work session of the Eugene City Council to order.

A. ACTION:

Motion to Accept New Evidence (Upcoming Joint Elected Officials Hearing on Springfield Metro Plan Boundary)

Planner Alissa Hansen joined the council and requested council action on a motion to accept new evidence for a Springfield proposal to expand the Springfield Metropolitan Plan Boundary. She reported that Lane Board of County Commissioners approved a similar motion the previous week and the Springfield City Council would consider such a motion the following week.

Mr. Brown, seconded by Mr. Farr, moved that, in accordance with Eugene Code 9.7750(1), the March 13 public hearing of the Joint Elected Officials regarding the boundary changes of the Metro Plan allow new testimony and not be limited to the record of the Planning Commission. The motion passed unanimously, 7:0.

B. COMMITTEE REPORTS

Ms. Ortiz said she had asked City Manager Jon Ruiz to schedule a work session to discuss the Lane Regional Air Protection Agency (LRAPA) budget because Lane County and Springfield had again notified LRAPA they would not be able to pay their dues for fiscal year 2013. She hoped the council could discuss that issue before the City's own budget review. She noted that LRAPA's budget review began in March. She had appointed Tom Musselwhite to LRAPA's Budget Committee and anticipated he would be a good fit. Ms. Ortiz also reported that LRAPA's home wood heating and wood stove change-out programs were going well in Oakridge and Cottage Grove, that LRAPA would host a week-long motor vehicle testing project in Eugene as part of Earth Month, that LRAPA staff sent informational packages about asbestos abatement to Lane County residents who received building permits for remodeling projects, and that LRAPA had formed a Revenue Resource Committee and a Personnel Policy Committee.

Mr. Pryor said the Housing Policy Board (HPB) held special meetings to discuss anticipated reductions in federal HOME and Community Development Block Grant (CDBG) funding, which were used locally for

construction, operation, and administration construction of low-income housing. The reductions would have an impact on the City's budget. The HPB also discussed coordination between the jurisdictions and how they used those moneys; in Eugene HOME money was used to build multi-family low-income housing and Springfield used much of the funding it received to assist first-time home buyers. He believed the two programs complimented each other. Mr. Pryor said the HPB recognized that its work was related to Envision Eugene and members were interested in the outcome of that process. He noted that the HPB would debrief the Bascom Village Request for Proposals experience at its next meeting. Mr. Pryor observed that the City had one remaining landbank site and it was important to develop it correctly.

Ms. Taylor reported that the Lane Workforce Partnership had received a grant from the American Association for Retired People to fund job training for residents older than 50.

Mr. Poling reported the Harlow Neighbors would meet on February 16 at the North Park Community Church. He had attended the first meeting of the newly formed Northeast Neighbors and presented information about the City's draft Bicycle Pedestrian Master Plan and the Bascom Village project process.

Mr. Brown reported that the Metropolitan Wastewater Management Commission (MWMC) had reviewed the projects completed in 2011, all of which were built under budget, allowing funding to be carried over. The MWMC previewed the upcoming budget, which the council would be asked to approve in May. Mr. Brown reported on MWMC's contract with Fresh Water Trout for riparian restoration that would generate shading credits for lowering the river temperature, saying MWMC encountered a road block because the federal Department of Environmental Quality determined only the project's capital costs, not monitoring costs, could be reimbursed. The MWMC was working on how to pay the costs of monitoring.

Mr. Brown reported that in spite of the excessive rain that fell in the last few days of December, the wastewater plant performed well under capacity and met all regulatory requirements.

Mayor Piercy suggested that the council talk about what LRAPA meant to the Oregon Department of Environmental Quality.

Responding to a question from Mayor Piercy, Mr. Pryor said he would find out if the remaining landbank site could be used for community gardens.

Mayor Piercy reviewed some of the Sustainability Commission's recommendations regarding the draft Bicycle Pedestrian Master Plan, highlighting the commission's recommendation that any proposed street repair bond include funding for bicycle and pedestrian facilities and a sidewalk infill program.

**B. WORK SESSION:
West Eugene EmX Extension Update**

The council was joined by Transportation Planner Kurt Yeiter and Lane Transit District (LTD) General Manager Ron Kilcoyne, LTD Director of Planning and Development Tom Schwetz, and LTD Director of Service Planning, Accessibility, and Marketing Andy Vobora. Rick Duncan of the appraisal firm Duncan Brown was also present. Mr. Yeiter introduced the item, an update on the West Eugene EmX extension, and recalled that nearly a year previous the council and LTD board had narrowed nearly 50 alternatives to a single locally preferred alternative (LPA) along West 6th/7th avenues and West 11th Avenue. LTD staff

had been studying the impacts of the alternative and would present its findings. No action was requested of the council.

General Manager Kilcoyne reported that LTD submitted a draft environmental analysis for the LPA to the Federal Transit Administration (FTA) in September 2011. He anticipated the FTA would determine whether to certify the analysis in March, which would trigger a 45-day public comment period. After the FTA reviewed the comments General Manager Kilcoyne anticipated the agency would issue a Finding of No Significant Impact (FONSI); otherwise, LTD would have to return the federal funds it received for planning to the FTA. He said Mr. Duncan would present his real estate analysis, which was part of the environmental analysis.

General Manager Kilcoyne noted that President Barack Obama's budget, released earlier that day, included \$19 million for project development.

Mr. Duncan led the council through a PowerPoint presentation entitled *LTD EmX Property Impacts Analysis Proposed West Eugene EmX Extension*. The presentation included a series of maps showing the impact of the LPA on properties along the LPA route and potential acquisitions. Mr. Duncan offered the caveat that no actual appraisals had yet occurred. He noted his assigned scope of work, which was to provide a general property description of each affected property; review acquisition maps; identify potential land use or code issues, existing property constraints, or potential direct property effects resulting from the project; identify any direct or indirect potential business/property effects; and recommend mitigation strategies to minimize those effects where possible.

Mr. Duncan noted the most potentially impacted properties (Adult Shop and King's Asian Market). He described the impact of the project on parking along the route and shared examples of possible parking mitigation approaches. He shared an example of a building impact on 6th Avenue. Mr. Duncan noted potential land use and code compliance issues as they related to legal non-conforming uses and legal non-conforming situations. He noted the possibility that sidewalks might require narrowing in some areas along the route.

Mr. Duncan reported that 118 properties, or 24.3 percent of the properties along the route, would be impacted by the project; of those properties, less than 2 percent of the total site area of those properties was proposed for acquisition. He noted the percentage range of impact on the affected properties. Mr. Duncan provided a general summary of the proposed acquisition areas, reporting that 14 percent of affected properties required no acquisition; LTD proposed to acquire less than 100 square feet on 13 properties, proposed to acquire between 100 and 1,000 square feet on 55 properties, and proposed to acquire over 1,000 square feet on 36 properties; 6 of those properties required more than 3,000 square feet.

Mr. Duncan shared a property impact summary of the major property impacts and the number of impacted properties.

Councilors asked questions clarifying the information presented.

Mr. Brown requested information about the number of on-street metered parking spaces that would be lost along downtown streets as a result of the project. He also requested that LTD provide the council with copies of Mr. Duncan's complete analysis once it was available.

The council then considered the Consent Calendar, scheduled for action at the regular meeting scheduled at 7:30 p.m.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - November 21, 2011, Regular Meeting
 - November 23, 2011, Work Session
 - November 28, 2011, Regular Meeting
 - January 30, 2012, Boards and Commissions Interviews
- B. Approval of Tentative Working Agenda**
- C. Ratification of Intergovernmental Relations Committee Minutes of February 1, 2012**
- D. Interim Appointment to Toxics Board**

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

Ms. Taylor pulled item C.

Roll call vote: The Consent Calendar, with the exception of item B, passed unanimously, 7:0.

Ms. Taylor said she pulled the item because she had made a motion at the Council Committee on Intergovernmental Relations to change the City's position on the bill from Support to Oppose but failed to receive a second to the motion. She recommended that the City Council oppose the bill.

Ms. Taylor, seconded by Mr. Brown, moved to change the City's position on House Bill 4017 to Oppose.

Ms. Taylor believed a person who was convicted of driving under the influence was already punished enough through embarrassment and remorse and did not need an interlock device in their automobiles for further punishment.

Councilors expressed an interest in receiving more information about the bill.

Mr. Pryor, seconded by Ms. Ortiz, moved to table the motion until the regular meeting. The motion passed unanimously, 7:0.

Ms. Ortiz congratulated Richard Nichol for his appointment to the Toxics Board and thanked Mr. Nichol for applying.

Mayor Piercy adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)