

MINUTES

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

September 26, 2011
7:30 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 September 26, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Kristin Taylor, TGB Architects and Planners, 132 East Broadway, Suite 200, represented Guard Publishing, which owned land on Chad Drive currently zoned I-1, Campus Industrial. She supported council initiation of a land use code amendment to revise the I-1 zone to remove the zone's prohibition on clinics, which was item 2C on the Consent Calendar. Ms. Taylor spoke to the frustration felt by many owners of I-1 property who found it very difficult to develop their land due to the limited allowed uses and restrictive development standards in the zone. She suggested those limitations and restrictions were outdated. Guard Publishing had spent thousands of dollars on land use processes, including going through the City's planned unit development (PUD) process voluntarily. Four years had passed since the PUD was approved and Guard Publishing was still unable to find a buyer or tenant for its land. She believed the proposed land use code amendment was an excellent opportunity to open up viable sites to development such as the proposed Veterans Administration Clinic and a first step in updating the zone to reflect the current market.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, urged the council to communicate with the public about the potential loss of right-of-way associated with the establishment of transportation corridors. He recommended that the council hold public forums and perhaps even hold a vote. Mr. Siekiel-Zdzienicki said the City had "grand plans" it was not sharing with those most affected.

Mr. Siekiel-Zdzienicki recalled the Free Speech Movement and suggested that the council should keep that movement in mind when considering the Sign Code issues raised by opponents of EMX.

Cynthia Kokis, 2465 Jefferson Street, expressed concern that many Eugene buses did not operate past 7:45 p.m., making it more challenging for her to attend evening meetings. She also expressed concern about automobile-pedestrian conflicts and the lack of proper signage at many crosswalks. She suggested that Eugene should work more to be like Ashland, where drivers approached pedestrians more slowly. Ms. Kokis believed that automobiles had top priority in Eugene and it was hazardous to be a pedestrian in Eugene. She suggested pedestrian walk lights were much too short. She advocated for a driver education and enforcement campaign to ensure drivers were aware of the laws governing crosswalks and suffered consequences for violating the laws.

Gary Jenkins, 90939 Prairie Road, called for the City to establish a policy that mandated polygraph tests for police officers in situations where there was doubt about what happened. He believed that would help establish trust in the police and could stop an officer from being untruthful. He noted his family's encounter with the police and maintained that Chief Kerns violated the law when he stated to the media that his officers were attacked by Mr. Jenkins' family when it was Mr. Jenkins' family who was attacked. He said that he still had not heard from the Police Auditor and asked what the community could do to make the police accountable for their actions.

Mayor Piercy closed the Public Forum and called on the council for questions and comments.

Councilor Ortiz shared with Mr. Jenkins that the City would have to bargain with the police union to administer polygraph tests to police officers. She said the council had no authority to institute such a policy. That authority lay with the City Manager. She noted that she had initially become involved with civic matters because of her interactions with the police and her interest in police transparency. She expressed regret for the trouble Mr. Jenkins' family had experienced.

Councilor Taylor shared Ms. Kokis' concerns about pedestrian safety and agreed with her about the short times provided for pedestrians to cross the street. She wanted the City to focus on enforcing the law so motorists were more cautious.

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**

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

Councilor Zelenka pulled Item B. Councilor Ortiz pulled item C.

Roll call vote: The motion, with the exception of items B and C, passed unanimously, 8:0.

Councilor Zelenka commended City staff for the action reflected in the resolution, explaining that the City was cashing in some of its older bonds with higher interest rates to take advantage of current low interest rates. The action would save the City a substantial amount of money.

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

Speaking to Item C, Councilor Ortiz suggested the council's initiation of a land use amendment to revise the I-1 zone demonstrated that Eugene was more "open for business." She hoped the proposal worked for the affected property owners and attracted businesses.

Councilor Poling reminded those present and the viewing public that the item merely initiated a land use amendment process.

Responding to a question from Councilor Zelenka, Ms. Hansen clarified that clinics of any type were prohibited in the I-1 zone. Staff proposed to add clinics that satisfied the definition of government services as an allowed use. Councilor Zelenka said it appeared the changes contemplated were quite narrow.

Councilor Zelenka reported he had learned that the Veterans Administration clinic and buildings would be leased and thus subject to taxation.

Mayor Piercy referred to Kristin Taylor's testimony and suggested the changes being proposed were more narrow than desired by some property owners. Ms. Hansen concurred. She said Ms. Taylor had shared her concerns with staff and staff had proposed some changes to the I-1 zone through Envision Eugene to provide more flexibility. Mayor Piercy recognized that the City was attempting to accommodate the Veterans Administration Clinic and did not want to pass an opportunity to fix other problems. However, she was satisfied that staff appeared to be working on those issues.

Councilor Poling did not want to get lost in the politics of the land use amendment given that the goal of the amendment was to help give the Veterans Administration as many options as possible so it could construct a new clinic to serve local veterans.

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

**3. ACTION:
Ordinance Concerning Fire & EMS Response Fees to Out-of-Area Users and Adding
Section 2.610 to the Eugene Code, 1971**

Deputy Fire Chief Mark Walker was present to answer questions.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Council Bill 5054 concerning Fire & EMS response fees to out-of-area users and adding Section 2.610 in the Eugene Code, 1971.

Councilor Zelenka expressed support for the fee. At his request, Mayor Piercy read the response to an e-mail of inquiry she sent to Fire Chief Randy Groves asking about other units of government that charged first-response fees that indicated those included several Lane County communities and fire districts as well as other Oregon fire districts.

Roll call vote: The motion passed unanimously, 8:0.

**4. ACTION:
An Ordinance Concerning Multiple-Unit Property Tax Exemptions and Amending Sections
2.945 and 2.947 of the Eugene Code, 1971**

Senior Planner Nan Laurence of the Planning and Development Department was present for the item.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Council Bill 5055 adopting a new sunset date for the Multiple-Unit Property Tax Exemption program in the Downtown Plan area.

Councilor Ortiz determined from Ms. Laurence that there were two current applications for the MUPTE; one had been approved and needed to be extended, and the other had not been considered because there was insufficient time to build the project under the current timelines.

Councilor Taylor indicated she would vote for the motion because the exemption was focused on the downtown area.

Roll call vote: The motion passed unanimously, 8:0.

5. WORK SESSION:
Housing and Urban Development Sustainable Communities Grant

Intergovernmental Relations Manager Brenda Wilson was present for the item. She first provided background on the region's receipt of a Housing and Urban Development (HUD) Sustainable Communities grant. The Lane Council of Governments (LCOG) applied for the grant and assembled the consortium of partners. However, the Springfield City Council decided not to proceed as a partner in June 2011 and the Lane Board of County Commissioners also had concerns about the grant. Ms. Wilson had been asked to take over the project to address those concerns, which were related to the management of the grant and the purpose of the grant. Subsequently, she created a new governance structure. Ms. Wilson described the structure, which was designed to give the partners that contributed the most funding more control over the grant.

Ms. Wilson reported that a leadership committee that included Mayor Piercy, Springfield Mayor Christine Lundberg, Lane County Commissioner Faye Stewart, and a representative of the University of Oregon had been formed to ensure that the policy decisions that had to be made through the life of the grant were communicated in a timely way to consortium members, and Stephanie Jennings of the Eugene Planning and Development Department had agreed to be the grant project manager.

Ms. Wilson briefly discussed the repurposing of the grant, which would be used by the region to find new ways to integrate planning efforts in a variety of areas. There were no mandates or outcomes associated with the grant. She said the receipt of the grant improved the region's chances of receiving future grants.

Ms. Wilson distributed copies of a handout entitled that illustrated the connection between the strategies of Envision Eugene and the grant work plan.

Ms. Wilson reported that the Springfield City Council supported the revised work plan and Memorandum of Understanding (MOU). She requested council support for the City's continued participation, and noted that the Lane Board of County Commissioners would discuss the grant the following day.

Mayor Piercy thanked Ms. Wilson and other staff for their work on the grant. She also thanked Mayor Lundberg and Commissioner Stewart. She said the funding would speed the implementation of some City initiatives and gave the region "an edge" in making future grant applications.

Councilor Pryor, the council's representative on the LCOG Board of Directors, reported that the grant had a profound impact on LCOG's approach to its government partners. LCOG staff was aware that the

process had gone wrong. He believed that Springfield's support demonstrated that progress had been made on both the project and LCOG's relationship with its government partners. He believed the management and governance structures could be models for future projects.

Councilor Pryor indicated support for the grant. He thanked Ms. Wilson and the staff of the other involved jurisdictions for their work on the grant.

Councilor Zelenka supported the grant. He was pleased it was not a single-purpose grant and would support many desired outcomes. He also supported the proposed governance structure.

Responding to a question from Councilor Zelenka, Ms. Wilson confirmed that the grant would not impact the City's planning for greenhouse gas scenarios. However, it would help the City make progress in that regard.

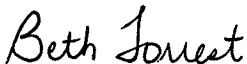
Councilor Ortiz also thanked those who worked on the grant and was pleased to hear that the process had caused LCOG to relook at its approach. She commended Ms. Wilson's work on the grant. She also thanked City Manager Ruiz, Mayor Piercy, Mayor Lundberg, and Commissioner Stewart. Councilor Ortiz anticipated that the grant would help the partners to think more regionally.

Councilor Farr was glad to hear Councilor Pryor's report. He had found the process frustrating and costly. He was glad to hear about the repurposing of the grant. He questioned who was paying for Ms. Wilson's time. Ms. Wilson said she had addressed the task in her capacity as Intergovernmental Relations Manager. Councilor Farr commended Ms. Wilson's work.

Councilor Taylor, seconded by Councilor Brown, moved to direct the City Manager to have the City continue as a partner of the Lane Livability Consortium. Roll call vote: The motion passed, 7:1; Councilor Clark voting no.

Mayor Piercy adjourned the meeting at 8:27 p.m.

Respectfully submitted,



Beth Forrest
City Recorder

(Recorded by Kimberly Young)