

MINUTES

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

May 23, 2011
7:30 p.m.

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

COUNCILORS ABSENT: Andrea Ortiz.

Her Honor Mayor Kitty Piercy called the May 23, 2011, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy opened the Public Forum.

Eugene Drix, 307-1/2 High Street, noted the renaming of the Autzen Bridge to be the Dave and Lynn Frohnmayer Pedestrian and Bicycle Bridge and suggested that was quite a lot to say. He proposed the bridge instead be called the “Frum” Bridge and made a play on words involving the “To” and “Frum” Bridge. Drix also noted his attendance at the ceremony for fallen Officer Chris Kilcullen at Matthew Knight Arena. He commended the arena, suggesting it was not just Eugene’s building but the State of Oregon’s building as well. Drix believed it would be the center of wonderful things yet to happen. He thanked those involved with its construction and thanked Matthew Knight for the beautiful new “O-rena.”

Matt Denberg, 2032 Kimberly Drive, representing the Disciples of Dirt Mountain Bike Club, thanked the council for its decision to move forward with the purchase of the Meissen property. However, the purchase had complicated a community-initiated parks development project involving the City and his organization. It caused the Parks and Open Space Division to reconsider its plans for Suzanne Arlie Park, which required a master plan revision for which there was no funding. Mr. Denberg said his organization was willing to do what it could to build the trails but needed the City to revise the master plan for the park. He asked the council to direct staff to reprioritize funding to pay the costs of revising the master plan.

Steve Mertz, 1761 Lawrence Drive, also representing the Disciples of Dirt, supported Mr. Denberg’s proposal, which he considered a great opportunity for the community. He believed it was silly to leave park land that residents could otherwise recreate on to lay fallow, and suggested that park land was in better shape when people used it.

Mayor Piercy closed the Public Forum. She thanked those who offered testimony and solicited comments from the council.

Councilor Zelenka invited the representatives of the Disciples of Dirt Mountain Bike Club to share more information with the City Council.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - April 18, 2011, Work Session
 - April 25, 2011, Regular Meeting
 - April 27, 2011, Work Session
 - May 16, 2011, Public Hearing
- B. Approval of Tentative Working Agenda**
- C. Ratification of Intergovernmental Relations Committee Minutes of April 13, 2011**

Councilor Taylor, seconded by Councilor Brown, moved to approve the items on the Consent Calendar. Roll call vote: The motion passed unanimously, 7:0

3. ACTION:
Ratification of the Metropolitan Wastewater Management Commission (MWMC) FY12 Regional Wastewater Program Budget and Capital Improvements Budget

City Manager Jon Ruiz introduced the item. He said that the MWMC approved the proposed fiscal year (FY) 2012 regional wastewater program budget and Capital Improvement Program (CIP) on April 8. In accordance with the intergovernmental agreement establishing the MWMC, the City and its partners to the agreement were required to ratify that action. Both the Springfield City Council and Lane Board of County Commissioners had approved the FY12 budget and CIP earlier in the month.

Councilor Taylor, seconded by Councilor Brown, moved to ratify the FY12 MWMC budget.

Councilor Farr determined from Wastewater Division Finance and Administration Manager John Huberd that the average monthly bill for the regional user fee would increase by about 83 cents per month as a result of the four percent proposed increase. Councilor Farr said that the council did not increase residents' bills without thought, recalling that at one time the council placed a one percent utility fee on the ballot which would have generated about \$1 monthly for low-income housing, but the proposal had failed by a large margin.

Roll call vote: The motion passed unanimously, 7:0.

4. ACTION:
Approval of Minutes, Findings and Recommendations from the Hearings Official and Adoption of an Ordinance Levying Assessments for Paving, and Constructing Curbs, Sidewalks, Medians, Street Lights, Stormwater Drainage, and Water Quality Facilities on Crest Drive from Blanton Road to Lincoln Street, Storey Boulevard from Crest Drive to Lorane Highway and Friendly Street from Lorane Highway to 28th Avenue; and Providing an Immediate Effective Date (Contract 2009-30) (Job #4546)

City Manager Ruiz reported that the ordinance must have a two-thirds majority to take immediate effect and avoid additional interest costs. He also reported that an additional four property owners qualified for the low-income assessment subsidy program as a result of the council's recent action amending the code to allow residents to rely on current income levels.

At the request of Councilor Taylor, City Engineer Mark Schoening reviewed the Eugene Code provision as they related to assessments for undeveloped properties of less than one half-acre, vacant properties of more than one-half acre, and partially developed properties.

Councilor Taylor, seconded by Councilor Brown, moved to approve the March 23, 2011, Minutes, Findings, and Recommendations of the Hearings Official. Roll call vote: The motion passed, 6:1; Councilor Clark voting no.

Councilor Taylor, seconded by Councilor Brown, moved to adopt Council Bill 5045, an ordinance levying assessments for paving and constructing curbs, sidewalks, medians, street lights, stormwater drainage, and water quality facilities on Crest Drive from Blanton Road to Lincoln Street, Storey Boulevard from Crest Drive to Lorane Highway, and Friendly Street from Lorane Highway to 28th Avenue; and providing an immediate effective date.

Responding to a question from Councilor Farr, Mr. Schoening explained the parameters of the City's low-income assessment subsidy program as it applied to the project in question. He agreed with a statement from Councilor Farr that citizens from across the city shared in the cost of providing the subsidy. Councilor Farr further determined from Mr. Schoening that the subsidy involved in the project was not significantly larger than the subsidy for the Elmira Road project.

Councilor Farr indicated opposition to the motion because the time for applying for the subsidy had been extended, and he opposed the degree of subsidy involved to the property owners in question.

Councilor Taylor believed that in a just world, the City would pay for the entire road improvement given all citizens could use the road. She said the application period for the subsidy was extended because people had lost their jobs and the amendment allowed them to apply for the subsidy based on their current incomes, not their past incomes.

Councilor Farr contrasted the percentage of children receiving free and reduced lunches in the project area to those living in the Elmira Road project area and suggested that was one accurate way to measure need in the area. He did not want to subsidize those living in higher income areas with the money from lower income residents.

Councilor Clark said he would vote no on the motion because upon initial formation of the local improvement district, a sufficient number of residents had remonstrated to postpone it, and he said at the time he would support that action. His no vote was a way to maintain consistency with that position.

Responding to a question from Councilor Clark, City Attorney Brotherton confirmed that the motion would not have an immediate effect date if the final vote was not a two-thirds majority of councilors. Mr. Schoening said that would add costs in the form of added interest, which would be paid by the City.

Councilor Zelenka asked questions of Mr. Schoening clarifying the parameters of the subsidy program.

Councilor Pryor indicated support for the motion as a one-time action.

Responding to a question from Councilor Farr, Mr. Schoening said the project would largely eliminate the balance in the City's low-income assessment subsidy fund.

Councilor Farr contrasted the assessed value of housing in South Eugene to the assessed value of housing in the Bethel area and said he did not mind opposing the motion because he was concerned that people living in rich neighborhoods were being subsidized by those living in poorer neighborhoods.

Mayor Piercy pointed out the subsidy in question was based on income and available to all, no matter where one lived.

Councilor Brown agreed with Mayor Piercy. He said not every resident of south Eugene was a millionaire. Plenty of south Eugene residents were experiencing economic distress. He pointed out that many people involved in both projects qualified for the subsidy. Councilor Brown did not like to hear comments that divided the community, which he considered counterproductive to the goal of improving the community's streets.

Roll call vote: The motion passed, 5:2; councilors Clark and Farr voting no.

Mayor Piercy acknowledged the motion had passed without sufficient support to take effect immediately.

Mayor Piercy adjourned the meeting at 8:01 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sandra J. Forrest", with the word "Deputy" written in smaller letters below it.

Beth Forrest
City Recorder

(Recorded by Kimberly Young)