MINUTES

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

March 9, 2011
Noon

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 March 9, 2011, work session of the Eugene City Council to order.

A. WORK SESSION: Envision Eugene

City Manager Jon Ruiz introduced the topic. He expressed hope that all the council's questions had been answered, and requested that the council move forward with the pillars, strategies, and tactics that resulted from Envision Eugene. He reminded the council that more discussion of the housing mix was still to come.

For the benefit of the public, Mayor Piercy reviewed the Seven Pillars of Envision Eugene:

1. *Provide ample economic opportunities for all community members.*
2. *Provide affordable housing for all income levels.*
3. *Plan for climate change and energy uncertainty.*
4. *Promote compact urban development and efficient transportation options.*
5. *Protect, repair, and enhance neighborhood livability.*
6. *Protect restore and enhance natural resources.*
7. *Provide for adaptable, flexible, and collaborative implementation.*

Mayor Piercy acknowledged all the work done by City Manager Ruiz and his staff.

Mayor Piercy reported the recommendations coming out of the Envision Eugene planning effort called for multi-unit and commercial development needs to be met inside the urban growth boundary (UGB). The recommendations acknowledged the need to be respectful of neighborhood character as the community tried to live more densely. The recommendations called for a limited expansion of the UGB for industrial property. She reported that the advocacy organization 1,000 Friends of Oregon informed her that it believed that represented a modest expansion.

Mr. Poling also thanked the manager and staff as well as the citizens who had been involved in the process. He had initially been somewhat skeptical about the project but had come to believe the project was producing results that all could live with. He believed the project was one of the best the City had done because of the diversity of input.

Ms. Taylor appreciated the work and many hours put in by City staff and the City's volunteers, although that did not mean she agreed with all the results. She continued to oppose any expansion of the UGB but was willing to proceed to the public hearing stage.

Mr. Clark joined in the compliments to City Manager Ruiz, staff, and the volunteers who spent thousands of hours they could have spent on other matters on a process the community could be proud of. He continued to have concerns about some of the recommendations but was willing to move forward to the public hearing stage. Referring to the tactic calling for ten-year adjustments to follow the five-year evaluations of the strategies, Mr. Clark emphasized the importance of monitoring and creating a flexible and adaptable system, and said the City should be prepared to make adjustments when the proposed five-year evaluation occurred.

Ms. Ortiz also thanked staff and the volunteers for their hard work on the process. She had been amazed at the energy and support that people displayed. She was willing to move forward to the public hearing phase of the process.

Mr. Pryor agreed much hard work had been done. He appreciated the council's willingness to try something new because the old approaches did not always get one where one wanted to be. He anticipated adjustments would occur to the recommendations as time went along. He believed the process had produced many payoffs and overall had been very successful. He also supported moving forward to the next phase.

Mr. Zelenka expressed gratitude to the staff and volunteers and to City Manager Ruiz for his leadership. He especially commended the volunteers who served on the Community Resource Group, saying it exemplified what happened when people had a discussion as opposed to shouting across each other. He thought most people could support the Seven Pillars.

Mr. Farr termed the process remarkable and commended the work of City Manager Ruiz, Planning Director Lisa Gardner, and all City staff involved in Envision Eugene. He said the work they had done went beyond his expectations. Mr. Farr recognized members of the Community Resource Group in the audience and asked them to identify themselves with a show of hands. Many people in the audience did so. Mr. Farr thanked them for their work.

Responding to questions from Mr. Brown, Ms. Gardner confirmed that the City's consultant on the technical products would be EcoNorthwest and that those products included both those identified in the strategies as well as amendments to existing planning documents.

Mr. Brown asked when the council would see maps outlining the different scenarios for boundary expansion. Ms. Gardner said staff would look for areas where industrial uses might be located and then identify those areas on maps. That work would occur over the next few months.

Mr. Brown was willing to move the process onto the next stage.

Responding to concerns expressed by Mr. Zelenka about the amount of industrial land reflected in the draft recommendations, Mayor Piercy pointed out that he would have a chance to make adjustments to that number following public review of the recommendations. Mr. Clark expressed hope that Mr. Zelenka had the opportunity to view the presentation prepared by staff on industrial lands, which helped him to understand that number. Mr. Zelenka said he would look at that issue closely and invited public comment on the range. Mayor Piercy concurred.

Ms. Taylor was concerned about staff looking for more industrial land before the council decided more was needed.

Ms. Taylor, seconded by Mr. Brown, moved to accept the Envision Eugene Pillars, Strategies, and Tactics contained in the March 9 Agenda Item Summary as the council's proposal for public review and comment, including another public hearing on April 25. In addition, the City Manager shall schedule a work session with the council in May to discuss the single-family housing need. Finally, the manager shall begin analyzing lands outside the current UGB for industrial land development, and schedule a council work session to review the results of those analyses.

Also in response to Mr. Zelenka's concerns, Ms. Gardner clarified that the City had a parcel size need rather than an acreage need. The parcels to be converted from industrial to commercial were of a small size that did not meet the area's job-related need for larger parcels.

Mr. Clark said the staff presentation included detailed mapping of only the industrial acres available. The presentation indicated that many of the City's development sites were constrained by wetlands and waterways, reducing the usable acreage and suggesting that the City's industrial land inventory did not reflect reality. He believed a more practical analysis of industrial demand could assist the economy.

The motion passed unanimously, 8:0.

B. WORK SESSION: West Eugene EmX

City Manager Ruiz indicated both City staff and Lane Transit District staff were available to answer questions. Council Coordinator Beth Forrest distributed copies of three documents: 1) *February 8, 2011, Public Hearing and February 24 Eugene City Council Work Session—Responses to Locally Preferred Alternative Decision Makers,* 2) *Technical Report List of Preparers*, and 3) *West Eugene EmX Extension—March 8, 2011—Detailed Listing of Mitigation.* Lane Transit District (LTD) Board of Directors Chair Mike Eyster, General Manager Mark Pangborn, Director of Development Services Tom Schwetz, Director of Service Planning, Accessibility, and Marketing Andy Vobora, and West Eugene EmX Project Manager John Evans were present for the item in the audience.

Mayor Piercy acknowledged differences of opinion among community members regarding the West Eugene EmX route. Her goal continued to be to ensure the metropolitan area had a transit system that supported Envision Eugene and the council's transit goals. She said that policy makers in Washington, DC, were aware of the project, believed EmX was an extraordinary success and model for the country, and were watching the process.

Responding to a question from Mr. Brown as to why the LTD Board of Directors had considered delaying the route decision, Mr. Schwetz indicated that LTD staff had proposed delay as an option to the board after the Joint Locally Preferred Alternative Committee forwarded its recommendations.

Mr. Brown said the council was provided with a staff-prepared suggested motion to direct the manager to inform the LTD board that the council opposed the "no build" option. He said in the past LTD had stated that the "no build" option moved forward with the locally preferred alternative to the environmental review process. The motion did not reflect that. He requested an explanation. City Manager Ruiz said the "no build" option moved forward as part of the National Environmental Policy Act process. The motion was not intended to stop that; it was intended to make a clear statement that the council wanted LTD to build the system. It was an advisory motion intended for the Metropolitan Policy Committee and LTD Board.

Mr. Brown questioned the need for the motion. He questioned the source of the motion. City Manager Ruiz said the motion was his idea. He reiterated that the motion was strictly advisory. He considered the motion an opportunity for the council to make a clear statement about whether it preferred to build the route to eliminate any public confusion.

Mr. Farr praised the EmX system. He was excited about the prospect of the system serving more areas, particularly the Bethel area. He believed that passage of the first motion was a step in the right direction and looked forward to discussing where the system would go in the future. He regretted that the third phase of EmX had not traveled up Highway 99.

Mr. Poling also regretted that the third phase of EmX had not traveled up Highway 99. He had yet to decide what his vote would be and looked forward to further discussion. Many factors were involved in the decision, including the funding and the system's impact on the community. He said that years ago the community decided on an auto-centric model for West 11th Avenue and now the City was trying to fit EmX on the road. He said the decision was a difficult one.

Mr. Zelenka favored a "build" option. The need had been demonstrated and he believed the system was an investment in the future. People needed transportation options in all forms, not just the single-occupancy vehicle, and he believed the route moved the community toward realizing that goal. The system was frequent and reliable and the first phase had been successful. He expected the same success for later phases.

Mr. Pryor believed those for and against the system had made reasonable points but the council had to make a decision. The question was what was best for the community and how the council could accommodate individuals to the degree possible. He was not willing to kill the EmX system. His challenge was to find a way to acknowledge the valid points made by both sides and find a way to accommodate those points and the community's needs. He also had to consider the future, and he believed if the community waited until it needed the system, it would be too late to build it. Mr. Pryor supported the suggested motion but believed more conversation needed to occur.

Ms. Ortiz expressed support for EmX. She agreed with Mr. Pryor that discussion needed to continue. She agreed about the need to consider the long-term future as well. Ms. Ortiz believed that good transit service was a social equity issue for residents without an automobile, who needed transit to get to their place of employment and to shopping hubs.

Mr. Clark expressed support for the EmX system but was concerned about the timing of the extension. He suggested that nothing prevented LTD from applying for federal funds the following year. He noted the federal deficit and expressed concern about the rate at which government was spending money. He suggested that the community would be borrowing from its children to build the extension at a time when it could not afford it. Mr. Clark believed the process had been more contentious than necessary and would like to have seen a process similar to Envision Eugene, which he believed would have allowed the community to move forward together. He indicated his intent to offer the council a motion to postpone discussion about the selection of Preferred Alternative for one year so the community could work out the issues.

Ms. Taylor said she strongly supported transit but did not think that EmX represented the only kind of transit. She believed that all kinds of public transit were needed. She had been happy to see the great bus system that Eugene when she first arrived but it had deteriorated since then. Many destinations in the community could no longer be reached by bus. Ms. Taylor pointed out that she would have to walk 3-1/2 miles to reach an EmX line and then questioned if it would take her where she wanted to go.

Ms. Taylor was concerned for the businesses affected by the route, for the trees that would be removed because of the route, and for the taxes involved regardless of the source. She suggested the potential the State lottery dollars LTD hoped for could be redirected to education. She was also concerned about operating costs of larger buses and questioned why LTD could not use more small buses. She did not support the suggested motion.

Mayor Piercy observed that LTD looked at 58 different alignments for the West Eugene route. She believed that all residents were concerned about jobs. She said that it cost LTD less to operate an EmX bus than a regular bus, and the EmX vehicle accommodated more people.

Speaking to Mayor Piercy's latter point, Mr. Clark believed that operation of the EmX system would become more, not less, expensive as time went on.

Mr. Clark reiterated his interest in postponing a decision. He believed additional time could allow the City to bring more people together to create a plan with more agreement.

Ms. Ortiz believed that sufficient time had been spent on the project. She would not support any motion to postpone action. She believed the council needed to let the community know where it stood on the project. She did not know what more LTD could do. She believed that LTD staff had worked hard and while LTD could have done some things differently, West Eugene had always been a component of a comprehensive EmX system.

Mr. Brown believed there were several unfortunate things about the proposal, such as not giving the Transportation System Management (TSM) option a chance to succeed and not involving business owners and residents in the process from the beginning. He believed the suggested motion was unnecessary. He believed the LTD board could live with additional uncertainty.

Mr. Pryor acknowledged the future was unknown, but if the council anticipated changes over the next 20 years in West Eugene, it had to discuss what changes the City needed to make to accommodate them. He could not envision a future without mass transit. The City Council also needed to think about fiscal prudence and what actually would work. Since the council had eliminated the West Eugene Parkway as an option, it must do something in West Eugene, and merely accommodating cars was not the best solution. He wanted to keep the conversation going, and believed the first suggested motion accommodated that desire.

Mr. Zelenka agreed with Mr. Pryor that the project was about the future. He envisioned dramatic changes over the next 20 years and said the community needed to prepare for them. He spoke of the difficulty that the community of San Jose, California, experienced when trying to install its light rail system because it did not have the foresight to plan for the system earlier.

Mr. Zelenka believed that LTD had been responsive to the businesses along the proposed routes. He had requested information about the proposed mitigations and found there were 70 instances in which LTD had changed its plans in response to community concerns.

Mr. Farr concurred with the remarks of Mr. Pryor. He observed that the issue had created controversy in his own household and no matter the council's decision, people would be dissatisfied.

> Ms. Taylor, seconded by Mr. Brown, moved to support LTD's construction of EmX in West Eugene and to direct the city manager to inform the LTD Board of Directors that the council is opposed to the "no-build" option.

Mr. Clark, seconded by Mr. Poling, moved to amend the motion to read "To support LTD's construction of EmX in West Eugene and to direct the city manager to inform the LTD Board of Directors that the council is ready with the proceed with the discussion one year from today."

While Mr. Clark believed that EmX was a good system, he also believed there was no critical need for action. He suggested that community divisiveness over the issue argued for delay. He advocated for a decision-making process that addressed the public's concerns so the City and LTD would be able to move forward with much broader community support.

The vote on the amendment was a 4:4 tie; Ms. Taylor, Mr. Poling, Mr. Clark, and Mr. Brown voting yes, and Mr. Zelenka, Ms. Ortiz, Mr. Farr, and Mr. Pryor voting no. Mayor Piercy cast a vote in opposition to the amendment, which failed on a final vote of 5:4.

Responding to a request for clarification from Mr. Clark regarding his opinion of the letter received by the council from attorney Nathan Reitmann, City Attorney Glenn Klein explained Section 41 of the City Charter did not apply in this instance. The suggested motion did not authorize road construction. In addition, the project in question was an LTD project, not a City project. Even if it LTD proposed to construct a throughway, Section 41 did not limit what LTD did. He pointed out that West 11th Avenue was in place already and no throughway was planned, although there may be some additional limited access on the road. The City limited access to its streets all the time. City Attorney Klein offered to provide more information in written form.

The vote on the motion was a 4:4 tie; Mr. Zelenka, Ms. Ortiz, Mr. Farr, and Mr. Pryor voting yes; Ms. Taylor, Mr. Poling, Mr. Clark, and Mr. Brown voting no. Mayor Piercy cast a vote in support of the motion, which passed on a 5:4 vote.

Ms. Taylor, seconded by Mr. Brown, moved to select the 6th/7th/11th Avenue route as the City Council's preferred route for West Eugene EmX.

Mr. Poling indicated that as a member of LTD's EmX Steering Committee, he had supported the 11th/13th route but had come to believe the 6th/7th/11th option was preferable However, because the "no build" option had been eliminated, he could not support the motion.

Mr. Zelenka preferred the 11th/13th Avenue route. He believed that the order in which the routes were constructed was important and that the council needed to consider the fiscal implications of the issue. He said that the 11th/13th route was cheaper to construct, cost less to operate, and was supported by the majority of groups that LTD consulted. He also believed that constructing the 6th/7th/11th option first placed the 11th/13th route in jeopardy.

Mr. Clark expressed support for the motion.

Ms. Ortiz, seconded by Mr. Zelenka, moved to substitute the motion with a motion that directed the City Manager to request that LTD undertake additional analysis of both the 13th/11th and the 6th/7th/11th routes, and that upon completion of that analysis, the council select its preferred alternative.

Ms. Ortiz agreed with Mr. Zelenka about the merits of the 11th/13th option. While she had initially supported the 6th/7th/11th option because of her interest in seeing the route go down Highway 99, she was not attached to either option.

Mr. Pryor said he liked the 6th/7th/11th option because of the residential ridership potential that existed in the Whiteaker neighborhood and the route's potential for commercial ridership. He acknowledged that the 11th/13th option could be cheaper and faster but the 6th/7th/11th option might better help the City achieve its goals. He said that forwarding two options kept uncertainty alive, but he believed it would facilitate the type of conversation he would like to have.

Mr. Farr indicated he opposed the substitute motion because it increased the cost of serving Bethel in the future. He also believed it was better to narrow the options in order to narrow the issues of contention.

Mr. Brown did not support the substitute motion. He was ready to make a decision.

Ms. Taylor did not support the substitute motion. She did not think there was any point in LTD doing more analysis.

With the consent of her second, Mr. Zelenka, Ms. Ortiz withdrew her motion.

Mr. Poling said he supported the 6th/7th/11th option and would support the motion.

The motion passed unanimously, 8:0.

Mayor Piercy adjourned the work session at 1:18 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)