

MINUTES

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

December 13, 2010
7:30 p.m.

PRESENT: Alan Zelenka, Mike Clark, Betty Taylor, Jennifer Solomon, Andrea Ortiz, George Poling, Chris Pryor, George Brown, members.

Her Honor Mayor Kitty Piercy called the December 13, 2010, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Pauline Hutson, 1025 Taylor Street, Residents for Responsible Rapid Transit (3RT), said Lane Transit District (LTD) did not like the 6th/7th Avenue option for the West Eugene EmX extension because it created three routes on one bus rapid transit lane, which was precluded by Federal Transit Administration guidelines. She suggested LTD could adopt the 6th/7th option and install a transfer station at Garfield and Chambers streets and avoid sending the future River Road and Highway 99 EmX extensions down 6th Avenue to downtown. Ms. Hutson said a statement was made at the recent meeting of the Joint Locally Preferred Alternatives Committee that feeder routes would only be provided once the Highway 99/River Road corridor west of Highway 99 was constructed. That made no sense as the routes would not be built in 15-20 years. She said the areas that would be served were among the fastest growing in Eugene, and feeder routes would be crucial to the success of LTD service in that part of town.

Ms. Hutson suggested that LTD Director of Service Planning, Accessibility, and Marketing Andy Vobora's remarks to the council regarding LTD's contacts with businesses did not "tell the full story" because Mr. Vobora did not mention that there were business owners on Franklin Boulevard who, in spite of promises, were not adequately compensated for their losses. She recommended that the council read an article about the issue by Paul Nicholson in the November 24 issue of the *Eugene Weekly*.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, believed the EmX route selection process had grown increasingly complex and lacked a needed link to the Envision Eugene process, through which changes to the urban growth boundary might occur. He said the two issues needed to be worked on together. The Community Resource Group (CRG) included some representation from West Eugene businesses but he did not think that representation was sufficient. The CRG needed more representation from small business owners. Mr. Siekiel-Zdzienicki said a land use plan must involve those who would be affected. He urged the council to slow the route selection process to coordinate it with Envision Eugene.

Mark Robinowitz, PO Box 51222, Eugene, discussed a "low build" approach to the Beltline widening project as a means to lower costs and to recognize decreased traffic volumes. He suggested the City's transportation planning did not take into consideration that Alaska would have no more oil by 2031. He acknowledged there was a safety issue on Beltline but believed it could be addressed at a relatively low cost by redesigning the ramps at the Delta and Beltline interchange. Speaking to the proposed EmX route,

Mr. Robinowitz believed that the community needed better transit but also believed opponents to the proposal were correct about many of the flaws in the design. He suggested that LTD could do more to gain control over design conditions by precluding the construction of big box stores that were hard to serve with transit. He supported an EmX route on Highway 99 and suggested that LTD should discuss restoring recent service cuts.

Dennis Konrady, 855 Meadow Butte Loop, noted his submission of an application to name a park after Suzanne Arlie. He said Ms. Arlie was an extraordinary woman, and went on to discuss Ms. Arlie's community work and her establishment of the Golden Ribbon Foundation to provide support to women battling ovarian cancer.

Mike Grudzien, 921 Waverly Drive, spoke in support of naming a new park in favor of Suzanne Arlie because of her positive community contributions and assistance to local nonprofit human service providers.

Dennis Abear, 850 East 38th Avenue, "Save Civic Stadium," thanked the City for the grant funding that allowed his organization to do a feasibility study for Civic Stadium. He applauded the council for considering acquiring the property proposed to be named after Suzanne Arlie and suggested the action presented the community with another opportunity to consider acquiring Civic Stadium. Many of the people he spoke to wanted to see the stadium saved. He suggested the City could collaborate with Eugene School District 4J to save the stadium.

Theresa Bishow, 3220 High Street, spoke in support of naming a park after Suzanne Arlie and said the City's naming guidelines permitted such an action. She thanked the council for allowing for public input opportunity and said she was moved by the stories of Ms. Arlie's community contributions. She acknowledged some were critical of the proposed acquisition but pointed out that the proposal had support from the Arlie & Company's banks, creditors, and a federal judge, allowing the company to fulfill a pledge to the City that had been made in better economic conditions.

Eugene Drix, 307-1/2 East 14th Avenue, expressed his pride in the City, the community, the University of Oregon, and Eugene residents. He spoke to the format of the forum and reminded people that the council often answered comments offered in the forum. He encouraged people to pick up litter and suggested it counted as volunteering and contributed to a more beautiful city. He said there were many issues and many beautiful answers that came out of the community. He encouraged other residents to contribute to the forum.

Erin Ellis, 901 South 32nd Place, Springfield, said she was told by LTD that the difference in operating costs for the EmX and existing service would be more than \$1 million. She said the community did not have that money. Ms. Ellis said she had posed questions to LTD about its projected operating costs for the system as LTD staff's statements appeared to contrast with summary tables provided to the public. She was still awaiting an answer. Ms. Ellis said the operating costs for 2015 would be substantially more than \$1 million annually, and LTD still did not know where the money would come from. She was very disappointed to learn that transportation system management (TSM) was not an option, although it was presented as one. She believed that was deceitful.

Carlis Nixon, 1556 Wilson Court, said she was pro-transit but anti-EmX, the result of riding the EmX and finding it only had five more seats than a regular bus. She said there was now a question of whether TSM was an actual option. LTD staff was saying it was not an option but was included for comparative purposes as there was no funding. She suggested there was no funding because none had been applied for.

Ms. Nixon believed that raised questions about the other information provided by LTD. She recalled that an LTD consultant had recently indicated to an advisory committee that TSM had reduced stops, which had been a significant issue when comparing travel times. Up until now, LTD had always stated that TSM did not have reduced stops and was slower by only three minutes. LTD staff had not seemed to know if that was true or not.

Kim Sawyer, 2170 Greenview Street, owner of a business on West 11th Avenue, recalled that in October, a representative of the “Envision Utah” had presented at the Hilton Hotel on that effort. He said that individual made it clear that process had included many options, an educational process, and a public vote. Many elements had been involved. He said one of his employees had lived in Utah at the time and confirmed and commended the process. Mr. Sawyer believed Eugene’s effort paled in comparison in terms of representation. He said the presentation made him think about legacy projects. Mr. Sawyer asked the council to have the courage to come up with a legacy in the form of an all-encompassing plan all residents could live with that included land use, water use, public and private transportation, urban growth, the schools, and amenities such as Civic Stadium.

Tom Halferty, 4510 Manzanita Street, supported naming a park for Suzanne Arlie. He suggested the remainder of the parks bond moneys should be spread out around the whole community and not concentrated in a single area such as south Eugene. He said the City should consider where growth could happen and what was integral to the community right now. Mr. Halferty considered Civic Stadium to be a worthwhile project. He suggested the City could purchase the land and recover its costs with compatible development on the half not occupied by the stadium. He suggested an independent entity could manage the facility to avoid additional public costs.

Eileen Loritsch, no address given, supported a better transit system in Eugene but did not think that EmX represented an improvement. She said it did not make sense that LTD would buy buses that run on diesel instead of alternative fuels. The EmX buses did not get good gas mileage. She suggested that LTD look into the smaller buses used in other communities. Ms. Loritsch questioned a decision to run EmX down West 11th Avenue as it lacked the residential density that existed in other areas. She believed that reduced stops would benefit some but not many people. She questioned why LTD was sticking to a plan with so many flaws rather than seeking more sustainable and convenient solutions.

Dennis Cassady, PO Box 5028, Eugene, opposed the purchase of the property owned by Arlie & Company. He had not known the City would threaten the use of eminent domain to acquire the Green and Beverly properties when he had voted for the bond measure. He said the City was losing credibility through its actions. He averred that if the City purchased the Arlie property, it would be taking away money from the schools.

Irving Weiner, 88500 Greenhill Road, suggested the council step back from the EmX proposal and let everyone provide input so that any plan that resulted was everyone’s plan. He thought there were ways the proposal for a West Eugene EmX route could be made better. He asked the council not to rush to a decision.

Wendy Butler-Boyeson, 1265 City View Street, expressed support for the proposed West Eugene EmX route. She described how she used the EmX system as a kindergarten teacher. She believed the area adjacent to West 11th Avenue had sufficient residential density to support the EmX route. She had recently used the 41 bus to reach downtown and it had been standing room only. She concluded that “the ridership was definitely there.” Ms. Butler-Boyeson spoke of LTD’s mitigation efforts, which she

maintained would address the issue of business access. She acknowledged that the current EmX vehicles were diesel but they were diesel-electric hybrids. She believed there was a need for the system.

Pat Farr, 1929 Praislin Street, acknowledged the service of outgoing Councilor Solomon. He said Councilor Solomon had worked tirelessly for the Bethel area and for the community as a whole. He said the community owed Councilor Solomon a debt of gratitude.

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

Councilor Ortiz thanked those who offered testimony. She expressed appreciation to Councilor Solomon for her honesty and willingness to maintain her principles, and wished her well.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- September 14, 2010, Joint Elected Officials Public Hearing
- September 29, 2010, Work Session
- October 11, 2010, Work Session

B. Approval of Tentative Working Agenda

C. Ratification of Intergovernmental Relations Committee Minutes of June 30, 2010

D. Appointments to Eugene Toxics Board

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

3. PUBLIC HEARING AND POSSIBLE ACTION:

Appropriation of Resolution 5019 Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011

City Manager Jon Ruiz reported that the supplemental budget recognized new revenue, marginal beginning working capital, and authorized other unanticipated changes in legal appropriations. It also reflected the Budget Committee motions related to funding for the Road Fund, Creekside Park, and Human Services Commission.

Mayor Piercy opened the public hearing.

John Barofsky, 2010 Hubbard Lane, the chair of the Eugene Budget Committee, noted the transfer to Reserve for Revenue Shortfalls that brought the reserve up to a level of \$17.4 million, which was consistent with the City Manager's strategy to maintain a sustainable budget. He believed the challenge that lay ahead was to balance deferred spending on capital and infrastructure with adequate staffing to deliver the level of services citizens expected. In regard to the proposed supplemental budget, Mr. Barofsky asked that \$300,000 be added to the General Capital Fund to account for capital needs.

Mr. Barofsky thanked Councilor Solomon for her service on the council and Budget Committee.

There being no further requests to speak, Mayor Piercy closed the public hearing.

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 5019 adopting a Supplemental Budget; making appropriations for the City of Eugene for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011.

Councilor Solomon, seconded by Councilor Clark, moved to amend the motion by transferring an additional \$300,000 to the General Capital Fund.

Councilor Solomon believed the fund was woefully unfunded and adding \$300,000 to it would be a step in the right direction.

Councilor Zelenka asked staff to speak to the tradeoffs created by the motion. City Manager Ruiz said that the City's strategy was to accumulate cash this year and any subtraction at this point would mean something would have to change in the budget because there would be less money to carry forward. Councilor Zelenka said in the absence of more analysis of the impact of the action, he was not prepared to support the motion.

Councilor Taylor concurred with Councilor Zelenka. She suggested the council postpone action.

Councilor Pryor liked the concept behind the motion and hoped staff kept the conversation in mind. However, he was not prepared to support the motion at this time.

Councilor Poling also expressed appreciation for the concept behind the motion but was not prepared to support it at this time without more information about where the money would come from.

Roll call vote: The amendment to the motion failed, 6:2; councilors Solomon and Clark voting yes.

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

Mayor Piercy adjourned the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

4. PUBLIC HEARING AND POSSIBLE ACTION:

Appropriation of Resolution 1057 Adopting a Supplemental Budget; Making Appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011

Mayor Piercy opened the public hearing. There being no requests to speak, she closed the public hearing.

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 1057 adopting a Supplemental Budget; making appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011.

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

Mayor Piercy adjourned the meeting of the Urban Renewal Agency and reconvened the meeting of the Eugene City Council.

**5. PUBLIC HEARING AND POSSIBLE ACTION:
An Ordinance Establishing a Process and Standards for Issuing Economic Development
Project Revenue Bonds as Recovery Zone Facility Bonds**

City Manager Ruiz introduced the item, reporting that the Oregon Revised Statutes required the City to adopt a procedure and standard for receiving and processing applications for bonds. The next agenda item was related, and must be approved by the council for the Bennett Management Company project to proceed.

Mayor Piercy opened the public hearing. There being no requests to speak, she closed the public hearing and called on the council for questions.

Councilor Brown asked why Wells Fargo walked away from the project. Urban Services Manager Denny Braud of the Planning and Development Department responded that he could not speak to why the bank made a credit decision, but the current lending environment was quite challenging. He said the good news was that another bank was close to approving the financing.

Councilor Brown determined from Mr. Braud that the City would be liable for the lease of an additional 16,000 square feet if the developer could not fill the space with a private tenant. City Manager Ruiz added that the City could also sublease the space. Councilor Brown determined from Mr. Braud that a tenant wishing to lease that space would be leasing from Bennett Management Company, and that staff anticipated rents would be \$1.85 per square foot. City Manager Ruiz clarified that rents would be paid by the department occupying the space. A non-general fund department would pay rents using non-general fund moneys.

Councilor Brown said he initially supported the project but no longer could because he believed the City was overextended and was taking too much of a risk. In addition, he was concerned that there would be too much office space downtown with too little demand. He said if another private entity had been willing to commit to the project, he might have been able to support it.

City Manager Ruiz spoke to the City's strategy for downtown. He reminded the council of the goal to fill both of the pits that existed. He recalled that the Beam Company's original proposal was for both the Centre Court and Aster Pit, and at that time the City had guaranteed it would occupy 50,000 square feet. The City was not making a similar guarantee for the Centre Court and in fact had cut its square footage in half. City Manager Ruiz pointed out that the Bennett Management Company has increased its equity contribution from \$2.25 million to \$2.5 million. He continued to believe the City's investment was worthwhile.

Councilor Brown said it was possible the City could be the building's only tenant for some time. He was also concerned that the project presupposed an answer for the question of what to do about City Hall by moving all the employees out.

Councilor Ortiz was prepared to support the motion. She said if the City wanted to see change, it needed to invest in the downtown. Bennett Management Company had a good record and she did not hesitate to commit to the square footage.

Councilor Zelenka said it clear to him that nothing would happen downtown unless the City stepped up and made it happen. The City had stepped up. All three of the projects in downtown had City participation in common. Councilor Zelenka suggested a certain amount of critical mass was needed to change

things downtown. He believed that filling the pits was an important psychological step forward. He believed the City's risk had gone down with its lesser square footage commitment. Councilor Zelenka had no objection to seeing all the employees now working in City Hall temporarily relocate to the building.

Councilor Zelenka was pleased to hear that Bennett Management had stepped up its equity contribution and that a local bank supported the project. He determined from Mr. Braud that construction could begin in 2012. Councilor Zelenka favored moving forward.

Councilor Taylor also supported filling in the Aster Pit but was convinced by Councilor Brown's arguments. She asked what departments would move into the space. City Manager Ruiz did not know at this time. Councilor Taylor hoped the manager considered not renewing existing leases. City Manager Ruiz said that was the plan. The City hoped to maximize its financial and operational efficiencies to the degree possible.

Mayor Piercy appreciated the effort made to bring the project to fruition. She considered the project important to the downtown and appreciated the work that kept it going. She thought it was less of a commitment for the organization than the Beam project. She supported the project.

Councilor Poling believed the proposed lease was positive for the organization. He said the project gave the City an opportunity to step back and study more carefully what to do with City Hall. He suggested that the lease also gave the City an opportunity to consolidate more services in a central location. He perceived the project as a very positive step that would help "kick-start" activity in downtown.

Councilor Pryor appreciated the flexibility the lease provided the organization as it regarded the future of City Hall. The lease did not tie the organization down. Speaking to the issue of risk, Councilor Pryor suggested that the City could not be an effective partner if it was too risk-adverse.

Mayor Piercy determined that no councilor objected to the council taking action.

Councilor Clark, seconded by Councilor Taylor, moved that the City Council adopt Council Bill 5041, establishing a process and standards for issuing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

6. ACTION:

Adoption of Resolution 5014 Authorizing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds to Finance Improvements on the Vacant Parcel Located at Broadway and Willamette Street and Adjacent to the Centre Court Building

Councilor Clark, seconded by Councilor Taylor, moved to approve the Revised Outline of Terms included in Attachment A. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

Councilor Clark, seconded by Councilor Taylor, moved to adopt Resolution 5014 authorizing Economic Development Project Revenue Bonds as Recovery Zone Facility Bonds to finance improvements on the vacant parcel located at Broadway and Willamette Street and adjacent to the Centre Court Building. Roll call vote: The motion passed, 7:1; Councilor Brown voting no.

7. PUBLIC HEARING:
Eugene Water & Electric Board Water Rights

Mayor Piercy opened the public hearing.

Roger Gray, 500 East 4th Avenue, the General Manager of the Eugene Water & Electric Board (EWEB), anticipated that the council would discuss EWEB's proposal to sell water to Veneta in January 2011. He said the Veneta contract would help EWEB demonstrate it had a use for a third water right on the McKenzie River. He emphasized the importance of long-term regional water planning to EWEB, the City, and the region. The Veneta contract made sense in that context. The contract moved EWEB toward certification of the third water right, started a regional discussion about a second source, and helped Veneta. He emphasized the importance of a second source to the community and suggested that if Eugene helped its neighbors they would be more inclined to help it, which would save money in the long-run.

Dennis Friedrich, 88094 9th Street, Veneta, Superintendent of the Fern Ridge School District, urged the council to support the Veneta water contract because of the community's limited water supply. He emphasized the importance of an ample water supply to the schools and the residents and businesses of Veneta.

Mark Robinowitz, PO Box 51222, Eugene, opposed EWEB's proposal to sell water to Veneta because of the precedent it set. He then went on to criticize EWEB's decision to relocate its operations functions to west Eugene and its wish to keep its contract with Seneca private. He called for EWEB to make such documents public and to work to control toxins from entering the McKenzie River.

Sharon Hobart Hardin, 88145 9th Street, Veneta, Mayor of Veneta, noted that two Veneta City Councilors were also present at the meeting due to the high priority the Veneta council placed on the issue. She requested council approval for EWEB's proposal to sell water to Veneta. She said Veneta had faced challenges regarding its water supply since its incorporation. Residents wanted to maintain Veneta as a standalone small city, and that vision could not be achieved without adequate and predictable water. Veneta was required by the State to plan to meet the demand for services created by residents over the next 20 years. She hoped to do so through the most sustainable, lowest cost means available, and for that reason the City Council had concluded that a partnership with EWEB was the most viable option.

Walter Burt, 55 Southwest Yamhill Street, Suite 300, Portland, represented GIS Water Solutions. He shared technical information regarding Veneta's ability to be served by wells.

Terry Nye, 25869 Vera Lane, Veneta, Fire Chief Lane County Fire District #1, spoke in support of the proposed water sale. He spoke of his department's use of Veneta municipal hydrants to fight fires in rural Lane County. He indicated that most of the year Veneta's water system was adequate, but in the summer the wells were at peak capacity. He was concerned that communities served by the district would not have enough water for an emergency when emergencies were most likely to happen. He emphasized the need for long-term planning that provided adequate water for Veneta. Mr. Nye believed EWEB was the most viable option. It had a secure, dependable water source that could be depended on for domestic, commercial, industrial, and public safety needs. Recent wells had not been very productive. He said a finding by the Oregon Water Resources Department restricted Veneta's access to future groundwater sources. Mr. Nye said that Veneta had secured federal funding to construct the necessary pipeline but an

agreement with EWEB must be in place before the public process can begin. He emphasized that time was of the essence. He asked the council to support the agreement.

Brian Issa, PO Box 458, Veneta, Public Works Director of Veneta, discussed the opposition to the Veneta water contract. He said the opposition was based on assertions that approval of the sale would lead to sprawl and rampant growth, and Veneta itself had been referred to as sprawl and a subdivision of Eugene. Those in opposition would have the council act as the arbiter of growth in the region by using water as a tool to impede growth in the outlying incorporated communities. He asked the council to consider the contract for what it was, an agreement for EWEB to sell a very small amount of water to a neighboring community so it could continue to pursue its community development goals in the context of Oregon's land use system. Mr. Issa urged the council to look at Veneta's planning documents when considering assertions that growth in Veneta was unplanned. He said that Veneta was far ahead of many communities in ensuring growth occurred conscientiously. He said that many in opposition would suggest the contract would lead to rampant growth, but Veneta had experienced growth without abundant water.

Dave Davanzo, vice president of the Fern Ridge Chamber of Commerce, said his organization believed a healthy business climate enriched the lives of everyone and it was committed to working with the City to attract new jobs and industry to Veneta and for its residents. He said Veneta was disadvantaged by the lack of a reliable, secure source of water. Water was vital to Veneta residents and critical if the city was to be successful in attracting new business to the area. He noted that the community's best producing well sites could not be drawn from because the water originated in the Long Tom River and Fern Ridge Reservoir. The surface water from the Long Tom was already committed and it would take an act of Congress to gain access to the Fern Ridge Reservoir; even if Veneta gained access to the reservoir, treatment costs would be excessive. Mr. Davanzo supported the Veneta water contract, saying it made sense, was the right thing to do, and ensured Veneta's future economic independence.

Jim Eagle Eye, 25456 Hunter Road, Veneta, chair of the Veneta Planning Commission, encouraged the council to support the agreement between Veneta and EWEB for the sale of surplus water to Veneta. He pointed out that Oregon law required Veneta to provide adequate water for projected growth over the next 20 years. Water was critical to Veneta's ability to both recruit commercial and industrial investment to provide more employment opportunities and services to all residents and to improve residential development so that it could protect its natural resources and continue to grow into a city that could provide its residents with a distinctive quality of life.

Mr. Eagle Eye emphasized the importance of timely action due to the nature of the grant/loan funding that would underwrite Veneta's costs for pipeline construction. He also emphasized the jobs that pipeline construction would bring to the region.

Mr. Eagle Eye encouraged the Eugene City Council to continue discussing the issue of regional water planning.

Mr. Eagle Eye concluded by saying that Veneta's projected future growth and increases in commercial and industrial development could be met within its Urban Growth Boundary and should not be considered sprawl.

Herb Blodeman, 25115 Luther Lane, a Veneta business owner, said he and other Veneta business owners cared deeply about the future of Veneta and all of Lane County. He encouraged the council's support of the agreement between EWEB and Veneta. He believed the contract was the best way for Veneta to meet

its water needs. Veneta had investigated its options and found that other options had substantial drawbacks. He suggested a prosperous Veneta benefited the greater region.

Tom Slocum, 1950 Graham Drive, believed that Veneta was the first of many communities that would seek water from Eugene. He suggested that in solving its own problem, Veneta could help Eugene to solve its problem of securing a third water right. He anticipated that there would be considerable competition for future rights, and if EWEB did not use enough of the rights assigned to it, there was a chance an entity other than EWEB would be making decisions about who had access to the water in the future.

Ron Farmer, no address given, supported the Veneta water contract. He said that the courts would make the final decision about who had authority over the sale, and that would provide clarity about the process to follow as the two communities went forward and worked together for the success of their citizens. He believed Eugene citizens supported a cooperative approach to the issue.

Gary Wildish, no address given, termed the contract a great opportunity for Eugene to perfect its water rights. Speaking to the topic of communities, he pointed out that Oregon communities had limited resources and were working together to do things in more cost-effective ways. Regional solutions were being contemplated throughout the state. He believed that cooperation with Veneta was consistent with what Eugene was already doing. He termed the contract an opportunity for a "win-win" solution.

Tabitha Ech, 24865 Strike Street, Veneta, owner of Our Daily Bread Restaurant in Veneta, said she bought her business in 2006 and economic conditions had worsened since then. There was not enough water to sustain Veneta, much less grow Veneta into becoming the small community that its residents desired. She said there were also health and safety issues to consider. She hoped more businesses joined her in the future to make Veneta a vibrant community for all to enjoy.

Thomas Cotter, 88098 Hester Street, Veneta, an incoming Veneta councilor, spoke in support of the sale of water to Veneta. He said the contract would allow Veneta to grow and contribute to welfare of the area. He pointed out that Oregon law required Veneta to ensure it could provide residents with water, and because of limited ground water resources, the contract could provide that service. Veneta was a responsible and growing community that wanted the same resources afforded to other nearby communities. He asked the council to support the contract.

Craig Soderberg, 87965 Sherwood Street, Veneta, supported the proposed water contract. He said EWEB's agreement to provide water to Veneta was an example of how two organizations could work together toward a mutually beneficial solution. He suggested the contract was also an example of being a good neighbor. He said he served on the Veneta Park Board, and water was crucial to Veneta's ability to take care of its current parks, along with helping Veneta to provide more parks and open spaces. He expressed concern that without the contract, Veneta would lack the water needed to fight local fires. He said access to a secure water supply would allow Veneta to be more independent and help give it more opportunities for local employment.

Carrie Connelly, 975 Oak Street, Suite 975, Veneta City Attorney, submitted her written testimony speaking to whether the proposal comported with existing Oregon, County, and local land use law.

Mayor Piercy closed the public hearing. She thanked those who offered testimony.

8. ACTION:
An Ordinance Concerning Assessments for Street Improvements

Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5038 concerning assessments for street improvements included as Ordinance Version C, and moved to amend Ordinance Version C to reduce by 25 percent the assessment of residential and nonresidential parcels located on a previously improved dead end street or cul-de-sac as shown in Attachment D.

Councilor Clark said he continued to oppose assessing residents for a street improvement project twice due to the geographic location of their home.

Ms. Taylor did not believe the ordinance would result in double assessments. She believed the system was still basically unfair but the changes before the council made it fairer. She said those living on cul-de-sacs and dead-end streets who could not travel anywhere without the street being improved should also pay. She said such residents were the most insistent Crest Drive should be improved but they did not have to pay anything.

Ms. Taylor moved, seconded by Councilor Solomon, moved to amend the motion to delete the amendment to reduce by 25 percent the assessment of residential and nonresidential parcels located on a previously improved dead end street or cul-de-sac as shown in Attachment D.

Roll call vote: The vote on the motion was 4:4; Mr. Zelenka, Mr. Pryor, Mr. Clark, and Mr. Poling voting no, and Ms. Solomon, Ms. Taylor, Mr. Brown, and Ms. Ortiz voting yes. Mayor Piercy cast a vote in opposition to the amendment and it failed on a final vote 5:4.

Councilor Zelenka asked Mr. Schoening questions clarifying the details of the assessment deferral program.

Councilor Zelenka, seconded by Councilor Brown, moved that the deferral of street assessment first go to senior and low-income qualifying people and then to others.

City Attorney Glenn Klein recommended the council postpone action until specific text could be developed that reflected the intent of the motion.

Councilor Clark, seconded by Councilor Poling, moved to postpone action to December 15, 2010. The motion passed, 7:1; Councilor Taylor voting no.

9. ACTION:
Proposal to Name New Ridgeline Property the "Suzanne Arlie Park"

Councilor Clark, seconded by Councilor Taylor, moved to approve the resolution in Attachment B.

Mayor Piercy noted the public comment the council received was about 2:1 in favor of purchasing the property and 2:1 in favor of the renaming proposal.

Councilor Taylor said she did not find the reasons cited in support of renaming the park to be sufficient to support the proposal. Other citizens had also made community contributions. She supported an open naming process through which citizens could make suggestions for names. She pointed out the City Council had just adopted a naming policy and she believed it should be adhered to.

Councilor Brown said he did not know Ms. Arlie but it appeared from the e-mails the council received that she was a fine person. However, there were many fine people in the community who volunteered their time and money. He felt the proposal was inappropriate. He supported the purchase but not if the seller demanded that the park be named after Ms. Arlie. He wanted to postpone the naming process until after the sale. He found the naming requirement to be offensive and willing to walk away from the purchase. He thought it was bad policy to accept the proposal.

Councilor Clark suggested that over time the naming controversy would be forgotten and people would only remember that the council purchased it at a very good price. He found the purchase opportunity to be a once in a lifetime opportunity. He said the parks and open space bond was intended to purchase such properties in the area in question. Mr. Clark thought that the purchase was a wise long-term investment. He supported the motion.

Councilor Poling believed the council had followed its naming guidelines, which allowed it to name something for someone living who had made extraordinary community contributions. The appropriate application process was followed. He agreed with those who said Suzanne Arlie was an extraordinary person. Councilor Poling supported the purchase and renaming proposal.

Councilor Zelenka reported he had polled those in attendance at neighborhood organization meetings about the topic, and the Amazon and Laurel Hill Valley associations supported the purchase overwhelmingly. He believed the criteria in the policy were difficult to address because it was hard to say if someone was extraordinary or if their gift was of an extraordinary nature. He suggested the language should be deleted or made more explicit as it was difficult to apply. He supported the motion.

Councilor Taylor wanted to buy the land. She thought others deserved the honor of having a park named after them more. She believed that if the City did not buy the land it would remain on the market and could be acquired in the future.

Councilor Pryor did not object to revisiting the policy. The issue boiled down to a matter of preference for him, and he respected all the councilors who had a preference. He was happy not to have to make the decision alone. He noted his own association with the nonprofit community and commended Ms. Arlie's extraordinary contributions. She had done things people would never know about. He thought that the park name was okay because Ms. Arlie was a great person.

Councilor Solomon agreed that Ms. Arlie was a remarkable person and she was pleased to be able to vote for the motion.

Councilor Ortiz felt uncomfortable about the subject initially but the more she considered the issue, she believed ten years from now people would not remember the naming controversy or who the park was named for. She suggested what really mattered was the legacy that one left behind. She was comfortable with the naming proposal.

Mayor Piercy said the property in question would be open space for the entire community. She appreciated that the City had the opportunity to purchase the property and the things that Ms. Arlie had done in the community.

Councilor Zelenka said that unless the council accepted the naming proposal, there would be no park. He did not particularly care for that, but believed the result would be a legacy park for the community's grandchildren. He did not want to lose the opportunity that had been presented.

Councilor Clark agreed with the mayor that the park was a resource for the entire community.

Councilor Taylor said she was not voting against buying a park but against being forced to name the park for the person selling it.

Roll call vote: The motion passed, 6:2; councilors Taylor and Brown voting no.

Mayor Piercy adjourned the meeting of the Eugene City Council at 10:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Beth Forrest".

Beth Forrest
City Recorder Deputy

(Recorded by Kimberly Young)