

MINUTES

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

May 24, 2010
5:30 p.m.

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

Her Honor Mayor Kitty Piercy called the May 24, 2010, work session of the Eugene City Council to order.

A. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Mayor Piercy expressed appreciation to the Eugene Budget Committee for all its hard work during the recent budget review. She reported that she had spoken on the topic of sustainability to two classes at the University of Oregon (UO) and on the topic of conflict and peace to a class at Lane Community College (LCC). She noted that the next Mayor's One-on-One event would be held the next day at the Market of Choice on Franklin Boulevard at 5 p.m. Mayor Piercy reminded the public that LCC would hold a forum on its proposed downtown campus on May 25 at the Eugene Public Library. She also noted the upcoming open house sponsored by the UO Community Planning Workshop, "Get Plugged In," being held on May 26 at 6 p.m. at the Wheeler Pavilion and the open house at Churchill High School regarding Envision Eugene, also scheduled that night.

Mr. Clark congratulated City Manager Jon Ruiz and his staff for the smooth budget process and said the process was less contentious than previous ones, which he attributed to a well-presented, well-thought out budget.

Mr. Clark noted his attendance at the May 13 Police Commission meeting and reported that he and Ms. Taylor met with Police Auditor Mark Gissiner in their roles as council president and vice president to discuss the Civilian Review Board's June report to the City Council. The auditor also discussed his decision to dismiss the Deputy Auditor. Mr. Clark recalled that the council, by City Charter, could only address directly the work of the City Manager, the Police Auditor, and the Municipal Court Judge. City Attorney Glenn Klein confirmed that fact. He said the council adopted code language that stipulated the auditor made all hiring and firing decisions related to the auditor's staff.

Ms. Ortiz noted that in addition to her service on the Eugene Budget Committee, she also served on the Bethel School District Budget Committee and Lane Regional Air Protection Agency (LRAPA) Budget Committee. She said there were concerns that Cottage Grove would not budget funding for its LRAPA dues, and indicated she had forwarded the council an e-mail on the topic. She reported she attended a town hall at the Songbrook development, where several State legislators were present to hear community concerns, and where the City Manager of Junction City spoke of the new State hospital project planned to be located in Junction City and its anticipated impact on that community.

Ms. Ortiz reported on the recent first annual Latino Education Summit held by Bethel School District, noting that there were more than 600 attendees at the summit from around the State. She briefly noted some of the presentations that were made at that event.

Mr. Pryor reported that he attended that day's memorial service for long-time Eugene resident Adell McMillan, who had made many significant contributions to the community over the years as well as being the long-time director and later Director Emeritus of the Erb Memorial Union on the University of Oregon campus.

Mr. Pryor also commended the work of the Budget Committee and agreed with Mr. Clark it had been a good budget process. He was pleased to see so few changes made to the budget proposed by the manager, which he thought was an acknowledgement of the City's financial condition.

Mr. Pryor reported he attended the recent School District 4J Board of Directors meeting to be available as a resource during the board's discussion of urban renewal funding. The board unanimously concurred with the City's conclusions regarding the financial implications of recent urban renewal funding proposals.

Mr. Brown raised the issue of the dismissal of the Deputy Police Auditor and asked if the council was precluded from speaking to the issue. City Attorney Klein said he would provide a written response to the question in the next council meeting packet.

Ms. Solomon said that the Active Bethel Citizens (ABC) neighborhood organization was meeting on June 26, at 7 p.m., at Petersen Barn, and the annual We Are Bethel Celebration was scheduled to occur on May 29, also at Petersen Barn, from 11 p.m. to 4 p.m. Many great activities were scheduled. She said she had attended the most recent meeting of the Metropolitan Wastewater Management Commission (MWMC), where commissioners had said goodbye to City Public Works Wastewater Manager Peter Ruffier, who was leaving the City's employment. She regretted his departure.

Ms. Solomon noted that she had also attended a meeting of the Public Safety Coordinating Council and a meeting of the Human Services Commission.

Ms. Taylor reported that she attended a Lane County Workforce Executive Committee meeting and commended the work that agency was doing.

Ms. Taylor also commended the community contributions of Adell McMillan and noted Ms. McMillan's two terms on the City's Planning Commission.

Ms. Taylor reported that she had heard from constituents about the new lines on the sidewalk at the Lane Transit District Downtown Station and had visited the station to view the situation herself. The youth she spoke to were not happy about being confined to the edge of the street. She wondered why the delineated space was so wide. City Manager Jon Ruiz believed it was because the lines delineated the sidewalk itself, not a portion of the sidewalk. Ms. Taylor expressed concern that people were not able to stand in the area and talk for a few minutes. She assumed she had broken the law when she visited the area and stood in the marked-off space to talk to people. Ms. Taylor said that some people believed the lines were a way to get people out of downtown. City Manager Ruiz assured Ms. Taylor that the lines were intended to maintain a clear passage for people to traverse the public right-of-way. People who stood in the area

were not breaking the law. Ms. Taylor thought half the space currently delineated would be sufficient for that purpose.

Mayor Piercy recalled that the signage in the area indicated that people should leave space for others to walk though and people were not committing a crime when standing in the area. City Manager Ruiz concurred. The intent of the lines was to facilitate movement on the sidewalk. People had been congregating on the sidewalk, making passage challenging.

City Manager Ruiz also regretted the departure of Mr. Ruffier and said Mr. Ruffier could be proud of the green, sustainable, innovative work he had done at the Wastewater Treatment Plant. He reported that Airport Manager Tim Doll was recently elected to the board of directors for the National Association of Airport Executives. In addition, Eugene's vehicle fleet was named one of the country's 100 best fleets and he commended the work of Fleet Manager Tony Jobanek for that achievement.

City Manager Ruiz announced the upcoming June 4 BRAVO breakfast recognizing the partnerships between businesses and the arts. He also noted that US Bank's annual economic outlook event was scheduled for June 8.

City Manager Ruiz recognized Central Services Director Kristi Hammitt and Central Services staff Sue Cutsogeorge and Mia Carriaga for their work on the 2011 budget.

Mayor Piercy announced that the Oregon Hispanic Commission would meet in Eugene at the Bascom-Tykeson Room at the Eugene Public Library on June 3 to hear from the community.

B. WORK SESSION:
Overview of City Planning Initiatives

Assistant City Manager Sarah Medary provided a PowerPoint presentation on City Planning and Decision-Making to clarify the various planning processes currently underway at the City of Eugene and to highlight the different tools staff employed to ensure those processes were integrated.

Mayor Piercy solicited council questions and comments on the presentation.

Ms. Ortiz expressed appreciation for the format employed in the presentation, which made the information easier to understand by more people, and commended the quality of City staff.

Mayor Piercy believed that rail would be significant to the community in the future and should be integrated into the City's planning efforts where appropriate.

Mr. Clark agreed with Ms. Ortiz as to the quality of City staff and commended the quality of staff's work.

Mayor Piercy said she struggled to determine how the City could integrate all of its planning processes and continue to move them forward together in a common direction. Assistant City Manager Medary acknowledged the challenge. She said that City Transportation staff had been present at the first Envision Eugene workshop to share information about the transportation system plan and to identify the connections between the two planning processes. In addition, staff was using the same vocabulary to

facilitate an easy transition between processes. She believed it would be a challenge to staff to identify the areas where the processes came together and should be more carefully interwoven.

Mayor Piercy reiterated her concerns about doing something through one process that was counter to the goals of another process. She acknowledged that it was difficult to anticipate that. Assistant City Manager Medary suggested that the triple bottom line tool was a way to ensure that such issues were considered.

Responding to a request from Mr. Brown, Assistant City Manager Medary indicated she would provide the council with copies of the questions included in the triple bottom line analysis.

Mr. Pryor acknowledged the work that had been done and the work still to come. He suggested that the council needed to also accept that there was conflict ahead. He hoped the council worked through that conflict and came out with something better than it originally considered. He did not think those conflicts would be unique to Eugene and they could be positive, rather than negative. Mr. Pryor anticipated a conflict between reasonable values and suggested that the council owed the community an informed, thoughtful, deliberative discussion when it made its choices, which some people would not support.

Mayor Piercy perceived the Envision Eugene process as an opportunity for the community to have a comprehensive discussion about the future. She said the challenge for participants would be to overcome the initial skepticism that would arise, and while that would not be easy she thought that the council would be pleased with the results of those efforts.

C. WORK SESSION:
Envision Eugene—Project Approach

The council was joined by Planning Division Director Lisa Gardner, Metro Community Planning Manager Carolyn Weiss, and City Attorney Emily Jerome for the item. Ms. Gardner provided an update on the process and presented a short video on the project.

Ms. Jerome provided a brief overview of the legal framework for the process. Mr. Zelenka arrived.

Ms. Weiss referred the council to Attachment A in the Agenda Item Summary (AIS) for a listing of issues raised by advisory committees, members of the public, and staff. She recommended that the process address 13 of the 19 listed issues. Items 1-5 were legally required and items 6-13 had a high level of demonstrated community interest.

1. *Transportation findings*
2. *Nodal development*
3. *Housing mix/affordability*
4. *Market trends*
5. *Economic development strategy/site needs*
6. *More integrated land use and transportation*
7. *Underbuild/utilization*
8. *Climate and energy action plan*
9. *Development standards*
10. *District scale modeling*

11. *Seasonally appropriate investments*
12. *Triple bottom line (sustainability)*
13. *Urban form considerations*

Ms. Weiss referred to Attachment B, which included a list of specific work tasks associated with the Envision Eugene project.

Ms. Weiss noted the items not recommended for inclusion:

14. *Parcel-specific plan designations*
15. *Zoning/plan designation consistency*
16. *Dynamic modeling of residential development*
17. *Further natural resource protections*
18. *Further parkland needs*
19. *Adopt Parks Plan as refinement plan*

Ms. Weiss said that if the council chose to expand the scope of work, there would be time line implications. She invited questions.

Mayor Piercy recalled that past planning processes envisioned a population that was not achieved in the planning horizon. She asked if there was a way to trigger various events as population targets were achieved. Ms. Jerome said that staff was working with the Department of Land Conservation and Development (DLCD) on the issue. The law does not include a provision to accomplish that; she suggested the way to accomplish it was to build in a shorter time period for check-ins. For example, the council could build in a check-in during the next periodic review. She pointed out that it would require County concurrence to change that number. Staff continued to discuss the issue with DLCD staff.

Mayor Piercy asked if there was a way to switch out land within the urban growth boundary (UGB) with land outside the UGB. Ms. Jerome indicated that she believed that was possible.

Mayor Piercy suggested that the public did not follow the work of the Planning Commission to the degree it did the work of the City Council, and asked how the City could help the community focus on the Planning Commission phase of the process to better engage it. Ms. Gardner said the City was attempting to do that and reported that the commission was seeing more attendance at its meetings. The commission had not received much public comment, but generally 12 to 15 people were present to hear its discussions. Mayor Piercy wanted to see more people in attendance.

Mayor Piercy hoped the City tracked its experience with the triple bottom line tool so it could show other communities how it worked as she considered the tool to be quite innovative and potentially useful to those communities as well.

Speaking to population projections that indicated 34,000 more people would move to Lane County, Mr. Clark suggested the community would grow up, out, or a combination of the two. He believed it would be a combination of growing both up and out.

While he commended the staff work in general, Mr. Clark expressed concern that staff did not plan to include item 17 -Further natural resource protections - which precluded any analysis of natural resources such as drainageways outside the city limits. He said that appeared to suggest that all the undeveloped

land in Santa Clara considered in the Eugene Comprehensive Lands Analysis (ECLA) was developable, and the drainageways would not be protected by the City. He thought that would also concern Santa Clara residents. He wanted to know what the City could do to address his concern without pushing the timeframe out too far.

Mr. Clark asked about the relationship between items 11 and 17 and what the City would be able to address in regard to those items. He also found some of the items on the list less important than the issue of drainageways, and asked staff to discuss the rationale for its recommendations. In response, Ms. Weiss clarified that while staff recommended items 1 through 13 it did not believe it could accomplish them within the current timeline. They would require a timeline extension to accomplish them all. Staff would address the legally required items, 1- 5, to the extent they were legally required within the current time frame. She said in regard to drainageways, staff could develop a timeline for addressing that issue and return to the council.

Ms. Ortiz recommended that Planning Commission meetings be broadcast on Metro Television throughout the Envision Eugene process, and requested the cost of that. City Manager Ruiz commended the suggestion and said that unless the cost proved prohibitive, staff would figure out how to make that happen.

Mr. Zelenka wanted to know the cost of addressing items 1- 5, beyond the minimum legal parameters and also wanted to know the cost of addressing the items that staff did not recommend. He thought it was very important to do the process right and pointed out the council was working under a self-imposed deadline. City Manager Ruiz indicated staff would return with a recommendation on June 14.

Mayor Piercy acknowledged the conflict between the desires of those who wished to do the process right and those who wished to do it quickly and wondered if there was a way to accommodate both interests and give them confidence in the process. Ms. Gardner indicated staff would provide a response to the question on June 14.

Mr. Clark expressed disappointment about further process delay, which he said would serve the ends of some but not all residents. He agreed with Mr. Zelenka it was important to do the process right, and suggested failure to address natural resource protections in Santa Clara would result in a divided community, with people working to stop projects using the regulatory system. He thought the City could have avoided that by preparing intelligently.

Mr. Clark asked if the City had done any analysis to determine if its infrastructure was sufficient to handle a higher level of density. Ms. Jerome said yes, as it was legally required to do so. The City must demonstrate that it could provide the infrastructure needed for more dense development.

Speaking to the triggers mentioned by Ms. Jerome, Mr. Zelenka thought it was bad policy to make irrevocable decisions based on wrong numbers, and he thought the numbers would be wrong. Such triggers would allow the City to make adjustments as time went along. He suggested that the City approach the 2011 Oregon Legislature to seek an exemption that allowed that to occur and to encourage the legislature to modernize the planning rules to recognize that planning had become more complex since the law was written.

Responding to a question from Ms. Taylor about the source of the figure attached to the anticipated demand for housing, Ms. Weiss said the number came from the ECLA project. ECLA suggested that

15,000 homes would be required over the next 20 years; 10,000 of those homes could be accommodated within the UGB. Of the 5,000 that could not be accommodated within the UGB, past trends suggested that 4,000 would be provided in the form of single-family houses and 1,000 would be provided in the form of multi-family housing. She said the City had the ability to reexamine those trends. Ms. Taylor was disturbed by the use of past trends and thought the State requirement that the City project housing demand in 20 years was outmoded because there could be a lot of change in 20 years.

Ms. Taylor did not see any point to rushing the process and did not understand Mr. Clark's comments that delay served some interests because she did not know whose interests those were. She believed the City needed to work on changing the law that required it to do a 20-year plan because things change in 20 years.

Mr. Pryor said he could appreciate Mr. Clark's frustration about the pace of the project and did not want the pace of the project to be a deliberate impediment. He wanted a pace that produced the best product. Mr. Pryor acknowledged that unlike some, he did not see a clear end to the process, and was willing to move at a slower pace while he attempted to figure out what the vision was. His expectation was that people would work together sincerely.

Mr. Clark wanted the process to be done correctly and wanted the City's expenditure of time and money to produce something that was legally defensible and helpful to growing the community in the way it wanted to grow. The choices the council made now were the keys to achieving that goal. Speaking to Mr. Zelenka's remarks about seeking a legislative remedy, he suggested that the City could accomplish the same thing by proposing to the State that Eugene be required to do more frequent periodic reviews.

Responding to a question from Mr. Clark about the State's response to the region's use of performance measures in TransPlan, Ms. Gardner indicated that more discussion would occur with the Land Conservation and Development Commission in July, and staff would report to the council following that meeting. She believed that from past conversations with DLCD staff, the region was on target with its performance measures. Mr. Clark expressed some surprise at that. He said that he had been concerned that the work had been insufficient and that the community was already behind as it started to revise the transportation plan.

Speaking to Ms. Taylor's remarks, Mr. Zelenka said he thought 20-year planning was very good but reiterated his call for triggers throughout the planning process.

Mr. Zelenka wondered if there was a way for staff to identify the most useful work tasks related to items 14-19 and include those in the process.

Mayor Piercy adjourned the work session at 7:17 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)