

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, JULY 21, 2008

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, July 21, 2008 at 7:06 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Wylie, Ballew, Ralston, and Woodrow. Also present were City Manager Gino Grimaldi, Assistant City Manager Jeff Towery, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Councilor Pishioneri was absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

1. Claims
2. Minutes
 - a. June 16, 2008 – Regular Meeting
 - b. June 23, 2008 – Joint City Council/Planning Commission Work Session
3. Resolutions
 - a. RESOLUTION NO. 08-35 – A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD COMPETITIVE BIDS EXCEEDING \$35,000, REQUESTS FOR PROPOSALS, OTHER PERSONAL SERVICES CONTRACTS EXEMPT FROM BIDDING REQUIREMENTS UNDER THE CITY PURCHASING REGULATIONS, AND APPROVE AMENDMENTS TO PUBLIC CONTRACTS DURING THE PERIOD OF JULY 22, 2008 TO SEPTEMBER 8, 2008 WHILE THE COMMON COUNCIL IS IN RECESS.
 - b. RESOLUTION NO. 08-36 – A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD PURSUANT TO SECTION 5.7 OF THE SPRINGFIELD DEVELOPMENT CODE.

- c. RESOLUTION NO. 08-37 – A RESOLUTION OF THE CITY OF SPRINGFIELD, LANE COUNTY, OREGON DECLARING AN INTENT TO REIMBURSE AND AUTHORIZING FUTURE DECLARATIONS.
 - d. RESOLUTION NO. 08-38 – A RESOLUTION OF THE CITY OF SPRINGFIELD AMENDING THE CITY OF SPRINGFIELD, OREGON RETIREMENT PLAN.
4. Ordinances
 5. Other Routine Matters
 - a. Approval of the Liquor License Endorsement for Izzy's Pizza Bar Classic Buffet, Located at 1930 Mohawk Blvd., Springfield, Oregon.
 - b. Allow Construction Activities Outside of the Hours of 7 a.m. and 6 p.m. for the 69th Street Reconstruction Project P20325 Limited to the Activity of Concrete Cutting for the Duration of the Project as Stated in the Contract.
 - c. Award the Subject Contract to Asphalt Maintenance Associates, Inc. in the Amount of \$208,997.88 for Project P21006: Slurry Seal 2008.
 - d. Award the Subject Contract to Wildish Construction Company in the Amount of \$120,000.000 for Project P20543: Maintenance Washrack Paving.
 - e. Authorize the City Manager to Sign a Contract to Purchase Fire and Rescue Equipment from LN Curtis in an Amount Not to Exceed \$49,165.

ITEMS REMOVED

PUBLIC HEARINGS - Please limit comments to 3 minutes. Request to speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.

1. Second Reading on a Proposed Metro Plan Amendment and Goal Exception to Allow the Oregon Department of Transportation (ODOT) to Removed the Decommissioned I-5 Bridge and Temporary Detour Bridges, Construct a Permanent Replacement Bridge and Place Fill Within the Willamette River Greenway Setback Area.

ORDINANCE NO 6227 – AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) TEXT, CHAPTER III, SECTION D, POLICY D.11; ADOPTING AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 WILLAMETTE RIVER GREENWAY; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Leiken noted that at the last Metropolitan Policy Committee (MPC) meeting information from the Oregon Department of Transportation (ODOT) was presented. Because of that, he was declaring ex parte contact. The information was not new, but was shown after the Joint Elected Officials (JEO) meeting.

Councilor Ballew said she had the same contact.

Planning Manager Greg Mott reminded the Mayor that the public hearing needed to be open when they made their declarations. He expressed his sincere apology that information was provided during the MPC meeting.

Mr. Mott presented the staff report on this item. The I-5 Willamette River Bridge project is located within the boundaries of the Metro Plan and crosses over the Willamette River and adjoining Greenway. By rule, only water related and water dependent uses are allowed in the Greenway Setback; bridges do not meet the definition of water dependent or water related uses found in the Statewide Goals; therefore an exception is required. The Rule also requires the goal exception to be included within the comprehensive plan; hence a Metro Plan amendment is also required before any bridge structural materials may be placed within the Willamette River Greenway Setback.

The joint elected officials conducted a public hearing on this application on June 24, 2008. The public hearing was closed on that same date; however the written record was extended an additional week by the Eugene City Council and Lane County Board of Commissioners. The Springfield City Council did not extend the record. On July 10, 2008, Mayor Leiken and Councilor Ballew attended a Metropolitan Policy Committee meeting wherein ODOT staff presented an update on the I-5 Bridge project. The information shared at this presentation constitutes ex parte communication that must be disclosed and requires that interested parties be provided an opportunity to rebut this information prior to a decision. All interested parties were provided with a notice of this circumstance, how to access the ex parte information and an explanation of opportunities to provide rebuttal testimony.

Mr. Mott introduced into the record the information presented by ODOT at the MPC meeting and the notice sent out by City staff to the interested parties list. The notice identified that the MPC meeting occurred and noted the opportunity to provide testimony for rebuttal on the information provided at the MPC meeting. Only rebuttal information could be added into the record. The notice identified tonight's meeting as the opportunity for rebuttal and also noted the webcast site at Lane County of the MPC meeting.

Mr. Leahy suggested that when the Mayor and Councilor Ballew declare the ex parte contact under the public hearing, they specify any particular reaction or thoughts they may have had to that information, and if it affected their decision making process. That would give people that chose to testify tonight the opportunity to respond to the information received at the MPC meeting.

Mayor Leiken opened the public hearing.

Mayor Leiken declared ex parte contact during the MPC meeting. He didn't feel the information was anything different than what was presented at the JEO meeting. He suggested people look at the webcast if they felt there was new information.

Councilor Ballew said she had also had the same ex parte contact. She did not feel the information presented at MPC would affect her decision making.

Mr. Leahy confirmed that neither the Mayor nor Councilor Ballew would be affected by that information. Yes.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6227. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

BUSINESS FROM THE AUDIENCE

1. Patrick Michael, 5950 Kalmia Lane, Springfield, OR. Mr. Michael referred to a letter he wrote to the Mayor and Council. He hoped they had a chance to read it. The letter was regarding the sound of train horns. He would like the Council to create quiet zones in accordance with the Federal Railroad Administration (FRA) Rules. There were certain requirements regarding the gates, sounds, bells, etc. that needed to be met. He noted that he had included documentation from the FRA media page with his letter, but noted that the full document was 481 pages. He hoped Council would assign someone to study this issue. He offered his services to research this in any way he could. He would like to get trains to stop blowing their horns as they traveled through residential areas. They had 150 decibels, and anything over 140 decibels could cause permanent hearing loss at a close range. He said the horns sounded in the middle of the night when people were trying to get a good night's sleep. He moved to Springfield last year one-half mile from the railroad tracks and they still woke him up. He hoped Council would take action and start now so they could bring it back after their summer recess.
2. Laurie Trieger, 2710 Polk Street, Eugene, OR. Ms. Trieger said she was the Executive Director of the Lane Coalition for Healthy, Active Youth (LCHAY). The mission of LCHAY was to prevent childhood obesity and related disease by mobilizing the community to adopt active lifestyles and healthy nutrition. She said LCHAY was a non-profit community group that served as a convener and connector for a broad range of stakeholders. They supported programs and policies that improved children's health and well being. They sought to improve access and create opportunities for better nutrition and enhanced physical activity environments. The United States had a serious problem; childhood obesity rates had more than doubled in just one generation. A child born today had a one in three chance of developing diabetes and had a shorter life expectancy than their parents, and Lane County was no exception. In 2006, LCHAY conducted a BMI data collection study which weighed and measured more than 10,000 Lane County school children. Eighteen percent were found to be in the at-risk for the overweight range, and nineteen percent were in fact overweight. The national obesity rate is about sixteen percent. The future burden of obesity related chronic disease threatened to overwhelm our health system and economic viability without decisive action to reverse these trends. She came to offer gratitude to the City in opening the Downtown Farmer's Market. Such a market was a key strategy to combat this issue. She had been part of the group of market organizers and it had been her pleasure to work alongside and with full support from the City of Springfield. Nutrition during childhood and adolescence was essential for growth and development, health and well-being, and eating habits developed during childhood tracked into adulthood. Families faced many barriers to living and eating well. Children and adolescents were the target of intense and specialized food marketing and advertising efforts that promoted unhealthful food and beverages. It was vital that decision making bodies enact policies and practices to support healthy choices. By helping bring healthy fruits and veggies to the heart of Springfield, the City had made it that much easier for families to bring those foods to their dinner tables. With their continued support and commitment, we could all realize LCHAY's vision of Lane County as a community where all youth lead healthy, active lives fueled by nutritious food. She thanked the Mayor and Council for their help.

3. Ann Kelly, 475 Lindale Drive, Springfield, OR. Ms. Kelly said there were a lot of important issues in this world and the one she wanted to bring to Council's attention was the stray cat, lost cat, and feral cat issue. She said there were many kittens and pregnant cats (about 15-20) at her apartment complex, many of which were lost, sick and hungry. She said she didn't like to watch an animal die or be sick. She spoke with someone who said the budget to contract with Lane County was about \$50,000. Over the last year, one of her friends spent \$1200 of her own money to address sick cats and to get them spayed or neutered. Ms. Kelly said she had chronic pain and it was aggravated by caring for these cats and kittens. There were many agencies willing to help, but someone needed to search for the agencies. Having a commitment with Lane County would allow people to channel the animals that had been lost or abandoned. Someone was paying the price – those that cared. People that cared were trying to deal with it compassionately, and others that didn't care were dealing with it improperly by killing and shooting cats. She noted abuse of the kittens by children in her apartment complex. This was an issue of humanity and needed to be dealt with. Many of these animals started out as pets that became lost, were not neutered or spayed and then became feral.

COUNCIL RESPONSE

Councilor Wylie responded to Mr. Michael's testimony regarding train whistles. She said she had talked with the City Manager regarding this issue and he had done some research. The crossings at 2nd and 5th Streets had whistles that echoed up the hill into the residential area, waking her up at least three times a night. She appreciated how annoying that was. If there was new information, she would like to look into that.

Mr. Grimaldi said staff could provide additional information in a Communication packet.

Councilor Ballew noted the City policy on charging citizens for copies if requested.

Mr. Grimaldi said if the public was interested in this issue, the City of Eugene had done extensive research. That information was located on their website.

Councilor Wylie said about twenty-one trains went through our community blowing their horns. It was amazing that more people hadn't come forward to complain. It was a burden for those living with it.

CORRESPONDENCE AND PETITIONS

1. Correspondence from M. Hoblit, 101 Village Drive, Cottage Grove, Oregon Regarding Cleaning Up the Glenwood Area of the Bridge and Renewal of Downtown.
2. Correspondence from Patrick Michael, 5950 Kalmia Lane, Springfield, Oregon Regarding Making Parts of Springfield a "Quiet Zone" from Train Whistles.
3. Correspondence and Attached Documentation from Ann Kelly, Springfield, Oregon Regarding Abandoned Cats and Related Health Concerns.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

BIDS

ORDINANCES

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments.

2. Business from Council

a. Committee Reports

- 1) Councilor Ralston spoke regarding the Human Services Commission (HSC) meeting held earlier in the day. At the first of the year, he was re-elected as Vice Chair. He had served as Chair three times. One of the topics at today's meeting was low-income transportation. Andy Vobora from Lane Transit District (LTD) was there and announced that LTD was cutting bus services, but they would try not to impact low-income areas. LTD had recently raised their rates. Councilor Ralston suggested to Mr. Vobora that rates should be raised again because he felt users should pay for the service. LTD was having a discussion on their Board about going to the voters to create another taxing district. It looked like everyone was trying to find the ability to tax or ways to subsidize.

Councilor Wylie asked if LTD brought up their payroll tax. They could increase that rather than looking for new money.

Councilor Ralston said they were looking at a number of options rather than asking for taxes. Maureen Sicotte had brought up some interesting points that could be feasible.

- 2) Mayor Leiken suggested Council members tour the new hospital at RiverBend before their August 10 opening if possible, as it was amazing.

He reported on two transportation planning meetings. Transportation Policy Group: He and the Executive Director of the League of Oregon Cities (LOC) were on this committee. There was talk of increasing the gas tax and local option pre-emption. The Mayor and Mike McCauley from LOC told the group, which included the Oregon Transportation Committee (OTC) chair, that would not be a good idea and if it came forward, the LOC would fight it. The group would be meeting tomorrow morning and pre-emption was again on the agenda. He didn't think it would get enough support to be part of the package. He explained local option pre-emption. Once that came through, pre-emption could be used for many other things. Home rule for cities was still part of the rules and pre-emption was unacceptable.

- 3) Councilor Ballew said tomorrow night Representative Terry Beyer and others would be at City Hall for a Town Hall meeting starting at 6:00pm, to discuss land use issues.

BUSINESS FROM THE CITY MANAGER

1. Approval to Contract for Purchase of Fire Rescue & Emergency Equipment for Firefighter Use at RiverBend Hospital through a Sole Source Supplier.

RESOLUTION NO. 08-39: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SEA WESTERN, INC., AS THE SOLE SOURCE PROVIDER OF MSA FIRE AND RESCUE EQUIPMENT DESCRIBED AS THE SEA WESTERN RIT SYSTEM, FOR USE AT THE PEACEHEALTH RIVERBEND HOSPITAL.

Fire Marshal Al Gerard presented the staff report on this item. Fire and Life Safety is seeking approval to purchase MSA fire and rescue equipment from SeaWestern, Inc, the sole supplier of MSA self-contained breathing apparatus (SCBA's), RIT Systems, and SCBA parts for the Municipal Fire Service in Oregon and Washington. Equipment is compatible with existing equipment and spare parts.

The equipment we seek approval to purchase will supply 10 equipment 'caches' on various floors of the new high-rise hospital, PeaceHealth Riverbend. Placed in strategic locations throughout the hospital, these caches will offer firefighters quick, safe access to emergency tools and equipment in the event of a fire/rescue emergency. Funding was authorized via a Supplemental Budget request in FY08 and was carried forward to FY09.

SeaWestern, Inc. is the sole authorized supplier of MSA self-contained breathing apparatus (SCBA), RIT Systems, and SCBA parts for the Municipal Fire Service markets in Oregon and Washington. Springfield Fire and Life Safety has a significant investment in MSA equipment. This includes training on specific MSA SCBA's and RIT Systems, as well as training a firefighter as a technician who maintains these specific items. Newly purchased equipment must allow for seamless integration with the existing equipment as well. Other brands of SCBA equipment are not interchangeable with MSA SCBA's or RIT Systems.

Councilor Ballew noted the list of items.

Councilor Lundberg said she and Mr. Gerard spoke during the PeaceHealth grand opening. If the fire department and hospital never had to use this equipment, that would be the best thing.

Discussion was held regarding the building as a high-rise.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE SEAWESTERN, INC. AS A SOLE SUPPLIER OF THE SPECIFIC EQUIPMENT REQUIRED (RESOLUTION NO. 08-39) AND AUTHORIZE THE CITY MANAGER TO SIGN A CONTRACT TO PURCHASE MSA FIRE EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$37,500. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

2. Special Procurement Request for the City of Springfield Justice Center Furniture and Fixtures.

Contract Manager Leslie Wilson presented the staff report on this item. City of Springfield Police and Municipal Court employees have identified current furniture and fixtures that will be reusable in the new Justice Center facility. In addition to the reusable items, the City must purchase a variety of additional furnishings, including but not limited to, additional workstations,

conference room tables and chairs, courtroom and jury furniture. While some items are available for purchase on the State of Oregon cooperative agreement, many are not. A Special Procurement process as defined under ORS279B.085 would authorize the purchase of items at prices offered on other national cooperative agreements. Authorization of a Special Procurement process, followed by a publicized Notice of Intent, would not encourage favoritism or substantially diminish competition.

Ms. Wilson said they would like to purchase what they could from the State of Oregon cooperative purchase agreement. Those not on the list could be purchased from other publicly awarded bids and proposals throughout the nation. She explained the advantage of using those lists.

Councilor Ballew asked how much this would cost and if there were funds budgeted.

Ms. Wilson said there was a line item in the budget that included several other items in addition to those presented tonight. The amount should not exceed \$200,000 for the additional furniture and fixtures. The money was in the project budget.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT A MOTION TO APPROVE SPECIAL PROCUREMENT PROCESS FOR SPRINGFIELD JUSTICE CENTER FURNITURE AND FIXTURES. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

3. Revenue Bond Sale Authorizing Resolution.

RESOLUTION NO. 08-40 – A RESOLUTION OF THE CITY OF SPRINGFIELD, LANE COUNTY, OREGON AUTHORIZING THE ISSUANCE OF SEWER SYSTEM REVENUE BONDS FOR A TOTAL NOT MORE THAN \$24,000,000 AND PROVIDING FOR PUBLICATION OF NOTICE.

Finance Director Bob Duey presented the staff report on this item. The Council recently adopted the City's Wet Weather Flow Management Plan and when integrated with the City's 5-Year Capital Improvement Program and the Draft Wastewater Master Plan identifies planned wastewater capital projects from FY2008/09 through FY2012/13. At its May 12 work session, after reviewing the projects and three financing options, the Council directed staff to prepare for public hearing a wastewater rate increase of 12.5%. It was explained that a 12.5% increase in the local wastewater rate would enable the City to proceed with the necessary improvement to the existing system that are required by the end of 2009, complete the installation of the Jasper Trunk Sewer during 2010 and fund \$1M for an additional discretionary capital project(s). These rates were presented to Council and approved on June 2, 2008.

Resources generated by the rate increase will be utilized to support the debt service and reserve requirements of a \$24M revenue bond sale that is tentatively being planned for early 2009.

The rate increase of 12.5% will amount to an increase of \$1.65 on an average residential bill over FY2007/08 rates.

Mr. Duey said this would be the first of two steps taken by Council if they chose to move ahead to issue the bond. Tonight's resolution didn't authorize the sale of bonds, but allowed the staff to

publish notice to allow citizens sixty days to petition and send a measure to a vote. If no petitions were filed within sixty days, staff would come back with a final resolution authorizing the sale and providing details of the sale. If a petition came forward within the sixty days and Council chose to proceed with the bond sale, they would need to go to the next available election. He explained where the bond sale funds would come from and how they would be used.

Councilor Ballew said they were only issuing bonds for \$24M, but the projects were about \$60M.

Mr. Duey said \$21M was for projects now. They may issue additional bonds in the future. Staff was first going through the system development charge (SDC) update.

Councilor Ballew said all the utilities were going up, but salaries were not. She cautioned staff about the possible public reaction to rising costs.

Mayor Leiken asked if these funds included Jasper Road.

Mr. Duey said in 2009, repairs to the existing system would be done. New construction for Jasper Road would be done in 2010.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT RESOLUTION NO. 08-40. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

4. Award of Contract for Engineering Services for the 2008-2009 Sanitary Sewer Rehabilitation Project P21009.

City Engineer Ken Vogeney presented the staff report on this item. The proposed contract is for engineering services for the fiscal year 2008-2009 Sanitary Sewer Rehabilitation project. The project will rehabilitate approximately 40,000 linear feet of sewer line before January 1, 2010, which is needed to eliminate overflows of raw sewage, and to comply with State and Federal requirements. This project completes Springfield's required inflow and infiltration projects in the regional Wet Weather Flow Management Plan. Engineering services for this work was advertised as two contracts ("A" and "B") to ensure timely delivery, but since Murray, Smith & Associates was selected for both portions, the work will be combined into one contract.

The award of personal services contracts such as this are exempt from normal bidding requirements under the City's purchasing rules. Consultants are normally selected through a Request for Proposal process, which was the procedure for this selection. After accepting Proposals from eight consulting engineering firms, staff found that Murray, Smith & Associates of Portland, Oregon, was the highest ranked firm for both Contract A and B using the criteria set forth in the Request for Proposals.

The selection of Murray, Smith & Associates was based as follows: 75% on their non-monetary proposal and 25% on their cost proposal. The non-monetary selection criteria included the firm's experience in the type of work required, the expertise and experience of key personnel involved in the project (including subcontractor's) with projects of similar scope, description of their project approach, and a list of clients for whom similar projects have been completed by the firm and the subcontractor. Although Murray, Smith & Associates did not submit the lowest cost proposal, they were ranked highest overall considering the non-monetary selection criteria. The attached Council Briefing Memorandum describes the selection process in more detail.

Mr. Vogeney thanked the Council for approving the revenue bonds just presented. He explained the contract process starting with two contracts now combined into one. Staff recommended approval of contract for design and construction.

Councilor Ballew asked how large this firm was.

Civil Engineer and project leader for this project Paul Von Rotz said it had sixty-six employees in three states.

Mayor Leiken said he assumed there would be other large rehabilitation projects for our system in the future. He asked for an idea of how large of an area this project would encompass.

Mr. Vogeney said the design services charge was approximately ten percent of the total \$8.5M for construction services. The Council Briefing Memorandum (CBM) noted the general areas that would be included in this project. He explained.

Mayor Leiken asked how old the system was in this area.

Mr. Von Rotz said the system in this area was about forty to sixty years old.

Mayor Leiken asked to see what areas staff would be looking at next and the age of the system for rehabilitation. It was so important for our community to make sure our systems were in working order. Some may need to be replaced.

Mr. Vogeney said this was not the only rehabilitation work being done at this time. The work had started on a contract the Council approved several weeks ago. Designing for smaller areas was being done in house, and would go out for contract in September and October. He said they could put together a long-range plan.

Mayor Leiken said it was very important and he would like that information.

Councilor Ballew referred to the bid estimates. She asked if engineers came under the same heading as architect.

Mr. Vogeney said that was correct. They came under professional services.

Councilor Ballew said that should be a legislative change for the City because it cost a lot of money. She asked why this firm was the best firm for this job.

Mr. Von Rotz said when staff analyzed the proposals from the firms for this work, three were eliminated immediately because they lacked the staff to do the work in time. Their prices were lower, but some were incomplete. All the work, including construction work, needed to be completed by the end of 2009.

Mr. Leahy noted that Susie Smith, Public Works Director, contacted the Oregon Ethics Commission because her husband, Alan Zelenka, was an employee of one of the companies that submitted a bid and were not selected. The Commission recommended that something be read into the record in this type of situation. He read from an email by Ms. Smith:

“To all: the purpose of this email is to note for the record that my husband (Alan Zelenka) is employed by Kennedy Jenks Consultants, and that I have been advised by the Executive Director of the State Ethics Commission that any involvement on my part in the selection of and/or contracting with the firm poses a conflict of interest as defined by OR State ethics regulations. Therefore, please be informed that for any participation and/or decision making that involves the Public Works Director, Len Goodwin is hereby designated to act in that capacity as needed to resolve consultant selection or contracting issues with Kennedy Jenks. In the event that Len Goodwin is unavailable, such matters should be referred to Gino Grimaldi (City Manager) for resolution. Further, I have also been advised by the Ethics Commission staff that should such matters go before the Springfield City Council, acknowledgement of my conflict of interest needs to be entered into the minutes of the public meeting, along with the delegation of authority that has occurred to mitigate the conflict. Susie Smith, Public Works Director”

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MURRAY, SMITH & ASSOCIATES ENGINEERS/PLANNERS IN AN AMOUNT NOT TO EXCEED \$864,625 FOR ENGINEERING SERVICES FOR SANITARY SEWER REHABILITATION DESIGN AND CONSTRUCTION MANAGEMENT. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

Mr. Grimaldi reminded Council of the TEAM Springfield meeting scheduled for July 28. They would be meeting at the Police Station at 6:00pm for a tour of the Justice Center. Following the tour, they were invited to his home for a small social gathering.

BUSINESS FROM THE CITY ATTORNEY

1. Proposed Updates from the Springfield Economic Development Agency (SEDA) to the Cooperation and Services Agreement and the Funding Agreement between SEDA and the City.

Community Services Manager John Tamulonis presented the staff report on this item. SEDA approved several updates to the Intergovernmental Agreements with the City at its July 14, 2008 meeting. SEDA forwarded them for City Council to consider and requests approval. The SEDA suggested changes streamline and update the IGA for operations between the City and SEDA and the funding agreement provides for both the Glenwood and Downtown Urban Renewal Plans.

With the formation of the Downtown Urban Renewal District and passage of time since initial execution of the documents between SEDA and the City, two documents have been combined (Cooperation Agreement and Services Agreement) in Attachment 1 in the agenda packet. The remaining agreement to advance and repay funds (Attachment 2 in the agenda packet) stands alone and covers possible SEDA requests for up to \$1.5 million in funding for projects.

Both proposed agreements include adjustments to extend the time of the existing agreements by three years (through June 30, 2011) and incorporate the new Downtown Urban Renewal District. Each maintains the current operational status quo. The amendments and time extension are consistent with the Urban Renewal Plans for both Urban Renewal Districts.

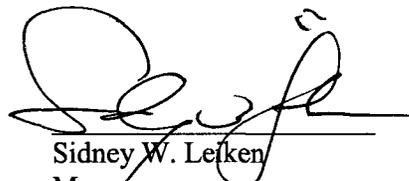
IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE AMENDED COOPERATION AND SERVICES

AGREEMENT AND THE INTERGOVERNMENTAL AGREEMENT TO ADVANCE AND REPAY FUNDS NEEDED FOR URBAN RENEWAL PROJECTS WITH THE CITY OF SPRINGFIELD AS FORWARDED FROM SEDA. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Pishioneri).

ADJOURNMENT

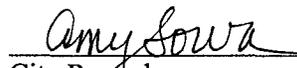
The meeting was adjourned at approximately 7:54 p.m.

Minutes Recorder Amy Sowa



Sidney W. Leiken
Mayor

Attest:



Amy Sowa
City Recorder