

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, NOVEMBER 3, 2008

The City of Springfield Council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, November 3, 2008 at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

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

Councilor Wylie was absent (excused).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Veteran's Day Parade Recognition.

Mayor Leiken introduced Dan Rupe, Chair of the Veteran's Day Parade Association.

Mr. Rupe and several other members of the association came forward.

Mr. Rupe said the Lane County Veterans Day Parade Association was honored to present the "Merchant Marine" award to Dean Bishop, Traffic Technician, City of Springfield Public Works Department, for his generous and sincere commitment to make the annual Veterans Day Parade a wonderful success within our community. They also recognized Dean for his military service.

One of the other members of the association noted that during the Mayor's Art Show, the recipient of the Mayor's choice award was his wife. He told the Council where they could find the wagon that was depicted in his wife's painting.

Mr. Rupe thanked the City of Springfield for hosting the Veteran's Day Parade and extended an invitation to the Mayor and Council to participate in the parade on November 9.

Mr. Bishop thanked the association for the honor.

2. Employee Recognition: Rich Charbonneau, 30 Years of Service.

City Manager Gino Grimaldi introduced Rich Charbonneau and acknowledged his 30 years of service to the City of Springfield in the Police Department.

Mr. Charbonneau introduced his family who were in the audience.

Mr. Grimaldi gave a brief history of Sergeant Charbonneau's service with the City of Springfield Police Department. Sergeant Charbonneau had served the Springfield Police Department as a patrol officer, detective, training officer, and sergeant. He was most recently known for his extensive work with the K-9 program and events. Sergeant Charbonneau also served as a volunteer, coaching the Springfield High Bowling Team.

Mr. Charbonneau thanked the Council and noted how much he enjoyed his work.

Councilor Woodrow noted the amount of work Sergeant Charbonneau's family put into the K-9 Olympics. He thanked his family for that effort.

3. Employee Recognition: Kevin Murphy, 30 Years of Service.

Mr. Murphy was not able to attend the Council meeting.

4. Recognition of Shirley Van Houten, Citizen.

Police Chief Jerry Smith introduced Shirley Van Houten. On April 24, 2008, Shirley Van Houten observed suspicious circumstances involving a suspicious vehicle in her neighborhood. Recognizing that the driver was not a resident and did not appear to be visiting a home as he exited his vehicle, she obtained a license number of the vehicle. When the male returned to his vehicle a short time later, she intuitively called the police and asked if a robbery at Liberty Bank had occurred at the same time the robbery call was being received by the police department.

Providing a description of the suspect, vehicle and license number, Springfield Police Officers quickly located the vehicle and apprehended the suspect. Almost immediately, investigators linked this individual as a possible suspect in a series of bank robberies in Oregon and Washington attributed to the "Waddling Bandit," named so because of his stature and gait.

The suspect eventually acknowledged in court to robbing twenty other banks between April, 2005 and his arrest on April 24, 2008.

The effectiveness of any police department is directly related to the willingness of the citizens to become involved. Ms. Van Houten exemplified good citizenship by taking the time to report suspicious behavior that led to the solution of these robberies. The City of Springfield Police Department is proud to extend appreciation and gratitude to Ms. Shirley Van Houten for her service to the community.

Chief Smith presented Ms. Van Houten with a letter.

Ms. Van Houten expressed thanks to the Springfield Police.

Mayor Leiken noted that his wife was Regional Director of the Liberty Bank and was very happy Ms. Van Houten was being honored tonight. Other people from Liberty Bank had noted the professionalism of our Police. He thanked them for their work.

5. National American Indian Heritage Month Proclamation.

Mayor Leiken read from the National American Indian Heritage Month Proclamation and proclaimed December National American Indian Heritage Month. Donna Dial and Jamie Waggoner from the Daughters of the American Revolution came forward to accept the proclamation. He thanked them for bringing this to the attention of the City.

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 – Wylie).

1. Claims
2. Minutes
 - a. October 13, 2008 – Council Work Session
3. Resolutions
4. Ordinances
5. Other Routine Matters
 - a. Approval of the Liquor License Endorsement for Thurston Market, Located at 6590 Thurston Road, Springfield, Oregon.
 - b. Approval to enter into an Agreement with Lane County to Act as an Agent for the City for the Appraisal, Negotiations and Acquisition of Real Property.

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. Gateway/Beltline Unit 1, Add Lanes Project Public Hearing, Alignment Adoption, Right of Way Resolution of Necessity.

RESOLUTION NO. 08-47 – A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF PROPERTY INTEREST FOR THE GATEWAY/BELTLINE PROJECT, CITY OF SPRINGFIELD PROJECT NO. P20474 AND THE IMMEDIATE POSSESSION OF PROPERTY.

Transportation Manager Tom Boyatt presented the staff report on this item. Staff began working on the Gateway/Beltline intersection improvement project in Fall 2006, through an open public process with property owners and stakeholders. The outcome of this process is a recommendation for a first phase of the intersection project approved in the 2003 I-5/Beltline Revised Environmental Assessment (REA). This first phase is called Unit 1, Add Lanes. Due to the high profile nature of this project and Council's desire for a project development process that involved impacted property owners in a project recommendation, a public hearing is scheduled before Council prior to a decision on project approval. Should Council approve the Project, staff

also requests approval of a Resolution authorizing right of way acquisition, as required by law, and authority to enter into a Final Design contract to develop a 100% Design that can be bid and constructed. Staff's intent would be to include contract approval for the design contract in the Resolution giving the City Manager contract approval authority during Council's Winter recess.

The Gateway/Beltline Unit 1, Add Lanes project is designed as a first phase of the larger intersection improvement approved in the 2003 REA. The Add Lanes phase is designed to provide additional capacity at the Gateway/Beltline intersection, along Beltline Highway and Beltline Road, and on Gateway Street. Project traffic analysis indicates that the mobility improvements from the Add Lanes Project will defer the need to complete the remaining REA project elements out to the 2018/2019 time frame. These future project elements are primarily turning Gateway and Kruse/Hutton into a one-way Couplet and adding additional lanes to Beltline Road and Gateway Street. The Add Lanes project is estimated at \$10 million; completing the couplet conversion elements is anticipated to add an additional \$15 million in project cost. The City currently has funding sufficient to build the first \$10 million phase of the Gateway/Beltline improvements.

Mr. Boyatt discussed some of the history of this roadway since the early 1980's. He discussed the projections for traffic through this intersection in the future and the need to build improvements. In October of 2007, Council directed staff to look at a project that made the most sense with the funding available. This project was a result of that work. This project was about 1/3 the cost of the original project and was about eighty percent effective.

Mr. Boyatt reviewed the elements of the projects listed on page 2 of Attachment 2 in the agenda packet. He explained each of the changes listed. The cost of this project was approximately \$10M and staff felt it ought to serve the needs of the development in that area as well as the interaction with the freeway interchange.

Mr. Boyatt discussed the right-of-way resolution and the final design contract that were also included in the agenda packet. The City had originally contracted to develop the project. In June 2007 staff received authority to do a survey and topographical base model on which to design and pursue thirty percent for the whole project. If Council approved the project, staff would be ready to move into thirty percent design very quickly. It appeared after talking with ODOT, that they had a good chance of developing both ODOT's next phase of interchange improvements and this Gateway/Beltline project proposal and moving them forward as a single construction project in 2010. In order to get there, the City needed the design team to get through thirty percent and move directly into final design. If that occurred, the final design contract would be negotiated and ready when Council was on winter recess. Staff wanted to make Council aware of this and to know it would be on the Council resolution giving the City Manager contract authority during the winter recess.

Mr. Boyatt discussed the right-of-way acquisition resolution. The resolution gave staff the authority to go out and negotiate with property owners on partial or full take of property. Staff's strategy would be to report on acquisitions as they occurred. They would return to Council in Executive Session if there were issues involving acquisition.

Councilor Pishioneri asked if the questions from the work session had been addressed.

Mr. Boyatt said those concerns had been noted, but wouldn't be addressed until they got to the final design phase. He reviewed those concerns.

Councilor Ralston referred to Figure 2-10 (Attachment 2, page 6 in the agenda packet) and asked if that was the proposal.

Mr. Boyatt said that was what was agreed to in the 2003 Environmental Assessment. Staff was proposing the project as noted on Attachment 2, page 7.

Mayor Leiken opened the public hearing.

1. Steve Sakaguchi, 135 W. 52nd, Eugene, OR. Mr. Sakaguchi said he owned one of the 11 businesses in the southeast corner of the Gateway/Beltline intersection. He referred to the plan and said he was concerned about the inability to make a left turn out of Hutton back to Beltline. That would force a lot of folks that wanted to get back to the mall or the freeway to either try to turn left on Gateway, which was very dangerous, or take a right out of Hutton, go all the way around past the hospital, back down to Hayden Bridge and over to the Gateway Mall area. This affected more than just those 11 businesses. He asked that an alternative plan could be part of this overall design to facilitate those drivers in a safe and convenient way.
2. Daryl Bigley, 6858 Glacier Drive, Springfield, OR. Mr. Bigley spoke on behalf of the Outback Steakhouse. His concern was for vehicles that wanted to go left from Hutton Street onto Beltline. He said Mr. Boyatt had done a great job opening up the road in front of his business, but now they would not be able to leave without issues. He noted that the alternate route was fairly lengthy. If a light was put up at Hutton and Beltline for left turns and it was timed the same as Gateway, traffic could go straight through. If that didn't work, perhaps signs could go up saying "no left turn during certain hours". He would also like to look at the left hand turn from Kruse Way onto Gateway. There were four hotels in that area that would also be impacted.
3. Sonny Chickering, Oregon Department of Transportation (ODOT), 644 A Street, Springfield, OR. Mr. Chickering, Area Manager for Lane County, said he had spoken during the Council work session a couple of weeks ago in support of this project. He had been working with Mr. Boyatt and other City staff on this project, as well other ODOT staff in Salem to insure that both this project as proposed and the future elements of the Gateway/Beltline interchange project were coordinated and worked well together. ODOT did support this project as it pertained to the freeway interchange operations. The Environmental Assessment (EA) document was critically linking the two projects together. In order for the freeway interchange to work effectively, the improvements at Gateway and Beltline were critical. ODOT had reviewed the City's proposal to phase the project and after reviewing the traffic analysis pertaining to the freeway interchange operations, ODOT was satisfied the proposal would not negatively affect their facilities. ODOT was committed to processing any necessary modifications to the EA documents through FHWA and had been working with City staff on that language as well. During the work session, the Mayor had expressed concerns about local ODOT approval and then being overruled by Salem. He noted that he had a conversation with Jane Lee, the region manager of ODOT in Salem, who supported this project. He was in favor of combining the City and ODOT's projects and felt both projects would be better served by being led as a unified project. The main benefit was to demonstrate to the community that ODOT and the City of Springfield could work together on a project that would be an improvement for our region and community. He urged Council support of the proposal.

4. Phillip Farrington, PeaceHealth, 123 International Way, Springfield, OR. Mr. Farrington, Director of Land Use Planning and Development at PeaceHealth, noted that PeaceHealth was one of the major contributors to this project. He encouraged Council to support this project. He complimented both City and ODOT staff for combining these two projects as they would provide a measurable benefit to the community and great efficiency. Even before the hospital came to Springfield, this project was needed. This was a needed component of the I-5/Beltline project. He noted the backups in traffic in this area even before the hospital was built. This project fixed these issues to a great degree. He felt staff had done a great job. He felt confident the concerns by the small business would be resolved.

Mayor Leiken closed the public hearing.

Councilor Pishioneri thanked Mr. Chickering for working with City staff on this project. He referred to the concerns raised by the business owners and asked if allowing a left turn westbound out of Hutton Street would put this project at risk from ODOT's standpoint.

Mr. Chickering said ODOT would most likely ask to look at a traffic analysis after that change was made to the plan. They had gathered traffic analysis data that had been provided by City staff and the traffic unit in Salem had reviewed that for impacts on the freeway. Provided there were no negative impacts in this or any other change, ODOT would have no objection. If there were changes that changed the queuing lengths west of Gateway and backed up traffic closer to the interchange during peak areas, ODOT would need to analyze that to determine if it was significant enough for concern.

Councilor Pishioneri asked Mr. Boyatt if there was a way to design a left turn from Hutton to Beltline for now and if it was found to have a negative impact with ODOT, revert it back to the current plan without it causing a significant design issue.

Mr. Boyatt said staff's first recommendation would be to leave the intersection as a two-way stop control as it was currently, with a stop sign on Hutton and a stop sign at the driveway from Gateway Market. With that, they would rely on high quality and good instincts from drivers to make safe left turns when traffic permitted. They felt that would have little or no effect on the queuing, but they would want to analyze that and also the option of putting in a signal. The main reason the signal was in the EA was because all of Gateway traffic was converted in the one-way couplet northbound onto Hutton and a signal was needed to turn those dual lefts. It was the City's practice when looking at intersection issues to do an analysis of all options. Staff's proposal would be to move the project ahead, remove the three-quarter access and have it remain stop controlled, and look at it further. The concern was actually at Gateway and Kruse.

Councilor Ralston confirmed that currently left turns could be made from Hutton. Yes. The real issue was turning left to get back to Gateway.

Mr. Boyatt said it was a real challenge and a difficult area to work with.

Councilor Ralston asked if there was any way Hutton could be extended to go through and come out at the traffic light on Gateway.

Mr. Boyatt said that would require acquiring private property for public use. Staff had looked at that, but there were a number of difficult issues with the hotel and apartment complex.

Councilor Woodrow asked if traffic counts had been taken at either of the intersections.

Mr. Boyatt said they had not conducted traffic counts recently due to the construction of the interchange and the opening of RiverBend.

Councilor Woodrow asked if restricting left turns out of Hutton would affect queuing on Gateway going to Beltline.

Mr. Boyatt said when there was a long queue in that area, drivers were more willing to let the next person in, but not when the full traffic was flowing. It did put traffic back through Gateway/Beltline as a left turn. That would be part of the analysis.

Mayor Leiken said he appreciated the comments from Mr. Chickering. He wanted to make sure that whatever we did, we continued to have good collaboration with ODOT because we were looking at combining the projects. The interchange was one of the best collaborations of governments he had seen in a long time.

Councilor Lundberg commented on the new flyover at the interchange and how well it worked. She was hopeful that the City and ODOT could work very collaboratively. This was not the area to have traffic confused. She had faith in government that we could accommodate everything in that area. This area would be changed again and again, and she would propose a revised motion that would allow us to stay on track and address the concerns of the businesses.

Councilor Ballew said she was weary of changing too much of what professional engineers had designed. She would like it noted that the City would take into account the comments tonight and would accommodate the best we could, but the design needed to make sense from an engineering standpoint.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE UNIT 1, ADD LANES PROJECT IMPROVEMENT FOR THE GATEWAY/BELTLINE INTERSECTION AND SURROUNDING STREETS AS GENERALLY DESCRIBED ON PAGE 2 OF ATTACHMENT 2, WITH THE EXCEPTION THAT THE THREE QUARTER INTERSECTION AT BELTLINE AND HUTTON BE REMOVED FROM THE PROJECT DESIGN AND THAT INTERSECTION CONTINUES TO OPERATE AS A FULL MOVE, MINOR STREET STOP-CONTROLLED INTERSECTION: AND, DIRECT STAFF TO UNDERTAKE AN INTERSECTION ANALYSIS TO ASSESS THE OPERATIONAL BENEFITS AND IMPACTS OF FURTHER INTERSECTION CONTROL OPTIONS AT BOTH THE GATEWAY/KRUSE AND BELTLINE/HUTTON INTERSECTIONS. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

Mayor Leiken thanked City transportation staff and ODOT for their work on these concerns. He asked that staff continue to dialogue with ODOT to make sure everyone was comfortable.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT RESOLUTION NO. 08-47. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO INITIATE A CONSULTANT CONTRACT FOR FINAL DESIGN. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

COUNCIL RESPONSE

BUSINESS FROM THE AUDIENCE

1. Sylvia Calderwood, 28104 Spencer Creek Road, Eugene, OR. (The City Recorder had provided arm bands from the recent Lane County Dog Show to the Mayor and Council for Ms. Calderwood.) Ms. Calderwood said she had never heard such a positive attitude as she had heard tonight. On September 4, 5, 6 and 7, the kennel clubs of Eugene and Springfield held dog shows at the Fairgrounds. During the shows, they had asked exhibitors to show their appreciation for our local legislators for their sane approach to animal welfare and also how much money they spent while in our area. The two kennel clubs spent over \$50,000 that they paid to the Fairgrounds. A professional survey was done that showed that the average exhibitor paid \$469 for that weekend. That, along with the \$1500 dog show entry, showed that over \$700,000 was spent in Eugene and Springfield. She read some of the sentiments from the back of the arm bands. Each exhibitor wore an arm band when they showed their dogs. She thanked the Springfield Council for supporting animal welfare.

CORRESPONDENCE AND PETITIONS

BIDS

ORDINANCES

1. Springfield Municipal Code Housekeeping Changes Regarding Springfield Museum.

ORDINANCE NO. 1 – AN ORDINANCE REPEALING SECTIONS 2.600 THROUGH 2.632, SPRINGFIELD MUSEUM BOARD, OF THE SPRINGFIELD MUNICIPAL CODE (FIRST READING).

City Attorney Joe Leahy presented the staff report on this item. The Springfield Museum Board operates and manages the Museum, a City facility and asset. Section 4.9 of the City of Springfield / Springfield Museum Management Agreement 2008-2009 (Attachment 4) provides, "*Manager (i.e., the Museum Board) shall report to the City Council on the activities of the Manager in the management of the Facility not less than annually. Manager agrees to provide this report to the city on or before December 31 each year. Manager shall report at such other times upon request by the City Council and shall provide such written reports as may be requested or required by the City all records maintained by the Manager relating to its duties as defined herein.*"

The Constitution and By-Laws of the Springfield Museum were amended and adopted in October, 2005 and subsequently revised and approved in November, 2007 (Attachment 3). Therefore, Sections 2.600-2.632 of the Springfield Municipal Code (Attachment 2) are no longer pertinent to the Code and can be repealed.

There is no financial impact.

Mr. Leahy said previously the City managed the Museum through the Museum Board. That had changed in 2004 and the Museum was now managed by a non-profit entity. The City owned the Museum and Museum collection, but it was managed by the non-profit, so the Code sections were no longer needed.

Mr. Leahy noted that a new Museum agreement draft had been prepared following Council direction. Council could review that draft if they chose.

NO ACTION REQUESTED. FIRST READING ONLY.

BUSINESS FROM THE CITY COUNCIL

1. Councilor Pishioneri said he attended the Emergency Management Committee Tabletop Exercise last Thursday at the new Justice Center Emergency Operations Center (EOC). The exercise was facilitated by Chuck Solin, retired Emergency Manager for the City of Eugene. All TEAM Springfield agencies were represented, as well as Emerald amateur radio operators, Red Cross, Lane Transit District (LTD), Eugene Emergency Management, Springfield City Manager's office, department directors, and support staff. There was a high level of participation. He was encouraged by the desire to do it right. He commended Chief Murphy for steering this. He felt we were ahead of most communities. He was asked as a liaison to provide input through a Councilor's eyes. He encouraged the rest of the Council to respond to questions regarding response to emergencies the City may face.
2. Councilor Ballew said she would be going with most of the Lane Council of Governments (LCOG) staff on Friday to Corvallis for the Oregon Metropolitan Policy Organization (MPO) meeting from 9:00am to 4:00pm. Staff were welcome to attend as well.
3. Mayor Leiken said the transportation committees put together by the Governor had concluded. A recommendation had been made and a report. The Governor would be making an announcement on the report on November 10. The report was 89 pages. This would start with Representative Beyer's transportation committee.

Mayor Leiken said he had the opportunity to serve on a surface transportation panel. He thanked Assistant Public Works Director Len Goodwin for providing talking points for him. The panel was convened in Portland and they talked about federal legislation and that Congressman DeFazio was putting together a subcommittee. When Congressman DeFazio spoke on the transportation bill and reauthorization during this panel, he spoke more aggressively than he had a year ago, capitalizing on infrastructure issues. Springfield was fortunate to have two major players in transportation: Representative Beyer and Congressman DeFazio. He said he was honored to serve on the panel to talk about the focus of our City.

BUSINESS FROM THE CITY MANAGER

1. Transportation Consultant Services.

Traffic Engineer Brian Barnett presented the staff report on this item. The City of Springfield Transportation Division sought statements of qualifications from firms to provide a variety of professional engineering services to the City for work that may arise in the next two or three years. Agreements are proposed with the selected firms.

The City requested statements of qualifications from engineering firms to provide professional engineering services for a variety of project types including but not limited to, traffic signal design, timing and communications; transportation planning; traffic impact studies and analysis, preparation and review of work products of others; illumination design, photometric and electrical analysis; and roundabout design services with emphasis on geometric elements. Consultants will be engaged as needed for tasks of specific scope and cost with consideration of the schedule needed to meet the City's goals and objectives.

Statements of qualifications were received from thirteen firms that provide a range of services. Seven firms were selected as best capable to provide needed services. The selected firms are: Balzhiser & Hubbard Engineers; Branch Engineering; CH2M Hill; DKS Associates; Kittelson & Associates; MTJ Engineering; and URS. Firms will be assigned to a task based upon the best fit of firm capability and schedule availability and the City's scope of work, schedule and budget requirements. The firms that were not selected are: Access Engineering; Associated Transportation Engineering and Planning; Group McKenzie; JRH Transportation Engineering and Lancaster Engineering. The ranking matrix is shown in Attachment 8.

The contracts are structured so the City has consultants available as needed but we are not obligated to use their services or to incur cost without receiving services. In addition these contracts are for a two year period with the option of a one year extension at the City's discretion. Each contract has a not-to-exceed limit of \$250,000 in the first two years and an authorization for an additional \$50,000 if the third year option is added to the contract term, however, the total cost of consultant services, in aggregate, will not exceed \$300,000 due to the terms of the request for qualifications. Funds will derive from approved budgets for projects and consultant services line items over the course of two or three years. Staff will monitor the costs of all tasks assigned to every consultant to assure that expenditures are in conformance to budget authority, City policy and the limit in the request for qualifications. The City Attorney's Office has approved the contract form.

Using a multi-year "on call" contract will eliminate multiple costly and time consuming proposal preparations by consultants and evaluations by staff.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO AUTHORIZE CITY MANAGER TO EXECUTE INDEPENDENT CONTRACTOR AGREEMENTS WITH THE FOLLOWING SELECT CONSULTING ENGINEERING FIRMS: BALZHISER & HUBBARD ENGINEERS; BRANCH ENGINEERING; CH2M HILL; DKS ASSOCIATES; KITTELSON & ASSOCIATES; MTJ ENGINEERING; AND URS. THE MOTION WAS PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

BUSINESS FROM THE CITY ATTORNEY

1. Council Participation at Community Events.

RESOLUTION NO. 08- 48 – A RESOLUTION AUTHORIZING THE CITY COUNCIL TO PARTICIPATE IN COMMUNITY EVENTS AT CITY EXPENSE.

Bill Van Vactor from the City Attorney's Office presented the staff report on this item. The 2007 Legislature enacted reforms to Oregon's Ethics Laws. While most of the reforms have been welcomed as positive steps forward in Oregon's long-standing tradition of highly ethical

governance, the restrictions on gifts are confusing and difficult to apply at the local level. Traditionally, Oregon elected officials have been asked to participate in community events. These events are often sponsored by other governments and charitable organizations. Elected official participation is often sought for many reasons. Elected officials may wish to attend to encourage community participation. Charities may want to demonstrate to the community a high level of community support by having elected city officials attend. Likewise, other governments may want to demonstrate broad community support for their program or activity. Attendance offers greater opportunities for communication, collaboration and partnerships.

For these reasons, and many more, it is important to the City of Springfield that its elected officials and other highly placed appointed officials attend community events.

Unfortunately, depending upon how the invitation is drafted, under the reform legislation, it is often not clear (1) whether it is appropriate to accept the invitation; (2) whether it is appropriate for the elected/appointed official to pay with their personal funds or (3) whether it is appropriate to have the City cover the expense.

The purpose of this resolution is to make it clear that Springfield elected/appointed officials are encouraged to attend community events and when they do, rather than risk a violation of the ethics statutes, it is appropriate to have the City cover the expense.

The scope of the resolution is limited to community wide events occurring within the State of Oregon and does not include travel and housing which are addressed in the City's Travel and Meeting Administrative Regulation. Adoption of this resolution will not change existing practices as stated in the Council Operating Policies and Procedures. The costs for reimbursement will continue to come from existing materials and services budgets for the Mayor, City Council and City Manager.

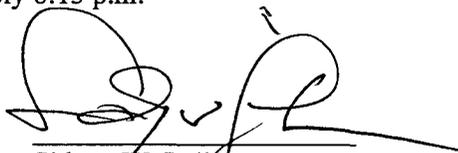
Mayor Leiken noted that in February 2009, the State would be celebrating its 150th anniversary and there would be significant events planned.

IT WAS MOVED BY COUNCILOR LUNDBERG WITH A SECOND BY COUNCILOR WOODROW TO ADOPT RESOLUTION NO. 08-48. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 Absent – Wylie).

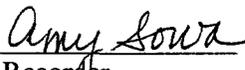
ADJOURNMENT

The meeting was adjourned at approximately 8:13 p.m.

Minutes Recorder Amy Sowa


Sidney W. Leiken
Mayor

Attest:


City Recorder