

# MINUTES

Joint Elected Officials  
Eugene and Springfield City Councils  
Springfield Library Meeting Room—Springfield City Hall  
525 5<sup>th</sup> Street—Springfield, Oregon

September 22, 2009  
6 p.m.

## PRESENT:

Eugene City Council:

Mayor Kitty Piercy, Betty Taylor, George Poling, Andrea Ortiz, Chris Pryor, Alan Zelenka, George Brown, members.

Springfield City Council:

Mayor Sid Leiken, Hillary Wylie, Dave Ralston, Christine Lundberg, Terri Leezer, Joe Pishioneri, Fred Simmons, members.

Board of County Commissioners: Peter Sorenson, Faye Stewart, Rob Handy.

## ABSENT:

Eugene City Council:

Jennifer Solomon, Mike Clark, members.

Board of County Commissioners: Bill Dwyer, Bill Fleenor, members.

Also present were County Administrator Jeff Spartz, Eugene City Manager Jon Ruiz, and Springfield City Manager Gino Grimaldi; Greg Mott, Mark Metzger, City Attorney Bill Van Vactor, City of Springfield; Kent Howe, Stephanie Schulz, County Counsel Steve Vorhees, Lane County; Kurt Yeiter, Heather O'Donnell, Carolyn Weiss, Chris Henry; City Attorney Emily Jerome, City of Eugene.

Mayor Sid Leiken called the public hearing of the Springfield City Council to order.

Mayor Kitty Piercy called the public hearing of the Board of County Commissioners to order.

Board Chair Peter Sorenson reconvened the September 22, 2009, Board of County Commissioners meeting and reviewed the Lane County file numbers for the items under consideration: Second Reading and Public Hearing on Ordinance PA 1262.

### **1. PUBLIC HEARING: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Text, Chapter III, Section D, Policy #11; Adopting an Exception to Statewide Planning Goal 15 Willamette River Greenway; Adopting a Severability Clause; and Providing an Effective Date**

Mayor Leiken determined there were no conflicts of interest or *ex parte* contacts on the part of the Springfield council.

Mayor Piercy called for conflicts of interest or *ex parte* contacts on the part of the Eugene council. There were none.

Chair Sorenson determined that neither Mr. Stewart nor Mr. Handy had conflicts of interest or *ex parte* contacts related to the item.

Mr. Zelenka arrived, and indicated in response to query from Mayor Piercy that he had no conflicts of interest or *ex parte* contacts to declare.

Mr. Metzger provided the staff report. Ms. O'Donnell and Ms. Schulz were also present for the item. Mr. Metzger called the elected officials' attention to the relevant criteria of approval for an amendment to the Eugene-Springfield Metropolitan General Area Plan (Metro Plan) and asked those wishing to speak to address their testimony to the criteria. He said the amendment must be consistent with Statewide planning goals, and must not cause the Metro Plan to be internally inconsistent. Mr. Metzger said the elected officials were also addressing an exception to State Goal 15, Willamette River Greenway, and the criteria for that were mounted on the meeting room wall.

Mr. Metzger recalled the joint planning commissions' public hearing on September 1, during which one individual testified. That individual, Jan Wostmann, testified in support of the amendment and suggested that text be added to the amendment that called for a connection between the Laurelwood neighborhood and the bicycle path. The commissions had agreed it was a good idea but outside the scope of the request before it, and each commission unanimously recommended approval of the amendment to the elected officials.

Speaking to the issue of the amendment's consistency with Statewide Planning Goal 15, which spoke to the purpose of the Willamette River Greenway, Mr. Metzger said the greenway goal was intended to preserve the aesthetic values of the river, protect its environmental functions and values, and bring people close to the river for recreational use in a sensitive way. Allowing access and encouraging access for recreational purposes were at the heart of the goal. He believed the proposal met the goal of allowing people more access to the river. Currently, physical obstructions forced the multi-use path away from the river when it entered Glenwood, and Springfield would like to change that to improve the aesthetics of the path experience. The proposed viaduct would allow the path to continue through Glenwood in the future. Staff believed the proposal was consistent with the intent of Statewide Goal 15.

Speaking to the issue of the amendment's consistency with the Metro Plan, Mr. Metzger reminded the elected officials that TransPlan was an element of the Metro Plan and it included maps that showed current and proposed multi-use paths. The proposed multi-use path was a key element in the community's bicycle system and was shown in TransPlan and appeared in other planning documents, such as the Willamalane Parks and Recreation Comprehensive Plan, which was also a refinement of the Metro Plan.

Mr. Metzger referred the elected officials to the findings prepared for the amendment and said he believed they supported a decision in favor of the amendment.

Mayor Leiken opened the public hearing for testimony and determined that there was no one present who wished to address the elected officials. He solicited questions from the elected officials.

Mayor Piercy determined from Mr. Metzger that no one had testified against the amendment before the commissions.

Speaking to Mr. Wostmann's suggestion, Mr. Zelenka thought such a connection was a good idea but pointed out the railroad created an obstacle to making it at the current time. He suggested that adjustments to the I-5 ramp alignments might make such a connection possible in the future.

Ms. Leezer referred determined from Mr. Metzger that there was sufficient funding to support the project. He indicated that the main issue before the elected officials was the land use permissions necessary to allow the viaduct structure to be built. He referred to Policy D-11 in the Metro Plan, which stated that any transportation-related facility within the greenway setback that required fill must go through the Metro Plan amendment and goal exception process. He said the actions being contemplated by the elected officials did not pre-empt environmental review. The National Environmental Policy Act (NEPA) process would occur to ensure environmental protection was assured.

Mr. Handy determined from Ms. Schulz that there had been two previous local exceptions to Statewide Goal 15, both associated with the I-5 bridge construction project. One was for the temporary bridge carrying traffic now, and one was for the upcoming construction of the permanent bridge. Both were approved. The proposed exception would be the third exception in the metropolitan area.

Mr. Handy asked staff to speak to a sentence in the reasons analysis for Finding 63 that had been included in a memorandum provided to the board that indicated there was no single statement of greenway values in the State statute or administrative rules. He also asked staff to speak to the nature of the Willamette Greenway Plan, specifically, if the plan was a compendium of plan amendments. Mr. Handy wondered how the State articulated its greenway plan and values. Mr. Metzger said he had reviewed the statute and rules extensively in attempting to set out the criteria for the exception, and while they contained considerable description about the greenway and its purpose he had been unable to find a single statement that spoke to the greenway's functions and values. Ms. Schulz added the goal encompassed many different values. Speaking to the nature of the plan, she clarified that it was not a specific refinement plan for the greenway, which was a mapping overlay.

Mr. Handy determined from Mr. Metzger that State law spoke to a boundary of approximately 150 feet away from the river. In Eugene-Springfield the boundary frequently expanded to encompass publicly owned land that was past that distance. He believed that a distance of 150 feet from the river was the general boundary but could not guarantee that was in case in every situation.

Mr. Pishioneri asked what the viaduct would look like. Mr. Metzger said two basic design approaches were being considered but the design was not yet finalized. For the most part, the viaduct would be within the Oregon Department of Transportation right-of-way. He described the two approaches being discussed.

Ms. Lundberg thought a bicycle path was much needed in the area and its location next to the river would provide bicycle riders with a more enjoyable aesthetic experience. She supported the amendment and wanted to see the elected officials move the project on to the next stage.

Ms. Taylor advocated for leaving the public record open.

Ms. Taylor, seconded by Mr. Zelenka, moved to leave the public record open for seven days. The motion passed unanimously.

Mr. Handy, seconded by Mr. Stewart, moved to hold a third reading and deliberations on October 21 and to hold the record open for seven days. The motion passed unanimously.

Mr. Ralston, seconded by Ms. Pishioneri, moved to leave the public record open for seven days and hold a public hearing on October 10. The motion passed unanimously.

**2. PUBLIC HEARING: An Ordinance Amending Chapter I, Introduction and Purpose Section of the Eugene-Springfield Metropolitan Area General Plan by Adding Separate Population Forecasts for the Cities of Springfield and Eugene for the Period 2010-2030 and Including the Period 2030-2035, and Adopting a Severability Clause**

Springfield Planning Manager Greg Mott was present for the item and identified a discrepancy in the materials adopted by the three planning commissions and the language adopted by the board for the Lane County projections in June 2009. The text adopted by the board was not carried forward into the text considered by the commissions. He reviewed the discrepancies involved and apologized for the oversight.

Responding to a question from Mr. Ralston, Mr. Mott described the process staff used to extrapolate the population projections from the data prepared for Lane County by Portland State University.

Responding to a question from Mayor Piercy about whether the discrepancies represented a barrier to moving forward, City Attorney Emily Jerome indicated the elected officials could proceed with acknowledgement of the errors.

Responding to a question from Mr. Handy about the impact of the discrepancy on the action taken by Lane County, Mr. Spartz did not perceive that nothing that had been done affected that action, and referred the question to Mr. Vorhees, who concurred. He indicated that Lane County would have to revise its ordinance if the board accepted the intervening years and text mentioned by Mr. Mott. Mr. Handy indicated he did not object to having the matter before the board again.

Mr. Mott indicated that metropolitan staff had also notified all the mayors and city managers of Lane County's ten small cities as well as those on the various jurisdictions' interested parties' lists of the proposed breakout of the years. Ed Moore from the Department of Land Conservation and Development had indicated support but he had heard from no one else.

Mr. Brown observed that he had reviewed a 1968 document prepared by the Eugene Renewal Agency that predicted that the urban population of the Willamette Valley would equal that of the San Francisco bay area by 1985. He acknowledged that the community must make such predictions but suggested that they be taken with a "grain of salt."

Mayor Leiken noted that the document mentioned by Mr. Brown was written prior to the adoption of Senate Bill 100, and suggested it would be interesting to know what would have happened in the absence of that legislation.

Mr. Handy requested a one-page document summarizing the elected officials' next steps.

Mayor Leiken opened the public hearing, acknowledging that no had signed up to speak.

Mayor Leiken thanked the planning commissioners for their recommendation.

Mr. Stewart, seconded by Mr. Handy, moved to hold the third reading for the item on September 30 and leave the record open for seven days. The motion passed unanimously, 3:0.

The Springfield and Eugene councils agreed to hold the record open for seven days.

**3. ACTION: Consideration of Alternative Public Hearing Process Regarding TransPlan Planning**

Eugene Senior Planner Kurt Yeiter introduced the item, reporting that the current version of TransPlan projected that the community would reach a population of 296,000 in 2015. The community had not grown that rapidly. The cities had initiated amendments to TransPlan and the Metro Plan to reflect the lower, slower growth rates at the time the two cities were pursuing the safe harbor approach. He recommended that to avoid restarting the process, staff recommended the elected officials to adopt a motion that established a process that allowed them to consider new evidence, including evidence related to that issue, when a joint public hearing was scheduled.

Mr. Ralston, seconded by Mr. Pishioneri, moved to establish a process for proposed transportation planning horizon amendments that allows new evidence at the governing body joint hearing and allows the governing bodies' decision to be based on the new evidence as well as the evidentiary record created before the planning commissions. The motion passed unanimously, 6:0

Mr. Zelenka, seconded by Mr. Poling, moved to establish a process for proposed transportation planning horizon amendments that allows new evidence at the governing body joint hearing and allows the governing bodies' decision to be based on the new evidence as well as the evidentiary record created before the planning commissions. The motion passed unanimously, 6:0.

Responding to a question from Mr. Handy, Mr. Yeiter said the work plan approved by the Land Conservation and Development Commission established a multi-year schedule of tasks that would result in the update of TransPlan (regional transportation system plan) and the Metro Plan. The work plan was scheduled to be completed by 2013.

Mr. Handy noted that the elected officials had discussed whether the next regional transportation plan update would be a major or minor update. It appeared that the work plan might help reconcile some of the different planning horizons for local planning documents, which he thought would be helpful. He asked how else the work plan would impact policy choices related to the integration of land use and transportation. Speaking to the question of integration, Mr. Yeiter noted the existing disconnect between the update schedules for federal and local planning documents. He did not think that the next update would result in all plans being aligned for 20 years, but he anticipated that would occur with the next update. He said the slower actual population growth rate bought the local area some time to achieve that integration. He anticipated that two planning processes would inform each other, and noted that locally, staff was working with ODOT to integrate local processes with ODOT's federal planning obligations.

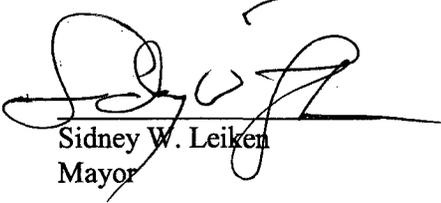
Mr. Stewart, seconded by Mr. Handy, moved to establish a process for proposed transportation planning horizon amendments that allows new evidence at the governing body joint hearing and allows the governing bodies' decision to be based on the new evidence as well as the evidentiary record created before the planning commissions. The motion passed unanimously, 3:0.

Mayor Leiken adjourned the meeting of the Springfield City Council at 7:15 p.m.

Mayor Piercy adjourned the meeting of the Eugene City Council at 7:15 p.m.

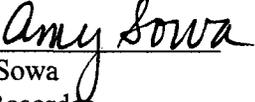
Mr. Sorenson adjourned the meeting of the Lane Board of County Commissioners at 7:15 p.m.

*(Recorded by Kimberly Young)*



Sidney W. Leiken  
Mayor

Attest:

  
Amy Sowa  
City Recorder