

NOTICE OF BOARD ACTION



LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

May 13, 1992
9:00 a.m.

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Chair Ellie Dumdi presided with Steve Cornacchia, Jack Roberts and Jerry Rust present. Marie Frazier excused. Judy Haldeman, Recording Secretary.

- 1. SECOND READING AND PUBLIC HEARING/Ordinance 4-92/In the Matter of Amending Chapter 2 of Lane Code to Change Subchapter Title to "Fees and Assessments" and Add LC 2.905 Entitled "Law Enforcement Medical Liability Account Assessment" (LC 2.905).

Dumdi read the ordinance into the record. Teresa Wilson, Assistant County Counsel, presented this item to the Board. Dumdi opened the Public Hearing. There being no one present who wished to testify, Dumdi closed the Public Hearing. MOTION: Approval of the ordinance. Rust MOVED, Roberts SECONDED. VOTE: Cornacchia, Dumdi, Roberts and Rust AYE.

- 2. ORDER 92-5-13-1/In the Matter of Approving an Agreement with the City of Eugene and Housing Authority and Community Services Agency of Lane County (HACSA) to Develop Low-Income Housing for Families on the Site Known as Willakenzie Landbank Site and Approving up to \$55,000 in Designated Affordable Housing Money for the Project.

Jim McCoy, Community Development Coordinator, presented this item to the Board. The Housing Authority will be the developer for this project with differing contributions from other agencies, primarily the City of Eugene. The intent is to keep the rent structure at a level which will serve low-income families with children. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. Rust commented that the County has been quietly performing on low-income housing and he complimented HACSA, the City of Eugene and Roberts for their leadership in developing these projects. Roberts commented that the decision of the Board of Commissioners to put up \$750,000 for Housing Policy Board use has been the critical factor in getting these projects going. Dumdi noted that

positive partnerships have been formed with other agencies in the community to make these projects successful. Roberts replied that the down side is that after this project, the money will be substantially depleted and that more creativity will be needed in the future to deal with the need for housing. VOTE: 4-0.

This meeting recessed at 9:12 a.m. for the Housing Authority and Community Services Agency meeting and reconvened at 9:18 a.m.

3. ADJUSTMENTS TO THE AGENDA

There will be one item of Emergency Business later in the meeting.

4. PUBLIC COMMENTS

Scott Snook, 2095 Harvard Drive, commented that the Emerald Valley BMX club appreciated the involvement of the Board with the lease agreement at Alton Baker Park. He stated that BMX is on the map now thanks to the Board of Commissioners.

Jim Tapp, 27915 Benson Road, presented a written proposal to the Board regarding his property and the wetlands issue. He stated that the property owners were trying to be objective, that scientific research needs to be done and that more information needs to be provided to the property owners.

Mary Bentson, 950 West 16th Street, commented that she supports the request by the Fair Board to install a sidewalk between Friendly Street and Van Buren on 16th Street to address pedestrian and auto safety on West 16th.

Lola Jackson, 89808 Greenhill Road, stated that she and her husband were concerned landowners with regard to the wetlands issue. She stated that plans were underway to acquire wetlands in her area and to maintain this plan with taxes. She stated that this was a violation of her property rights.

Alvin Jackson, 89808 Greenhill Road, commented regarding the West Eugene Wetlands Special Area Study. He asked that things be left as they are in this area.

Marilyn Adkins, 06033 Collard Lake Way, Florence, urged the Board to resolve the Clear Lake Watershed issue with a phosphorus loading plan, a watershed management plan and a cooperative agreement (see material on file). Roberts thanked Adkins for her efforts in helping the Board move forward. Bill Van Vactor, County Counsel, echoed the comments made by Roberts and stated that Adkins had done an excellent job before the Land Use Board of Appeals (LUBA).

John Porter, Department of Public Safety for the City of Eugene, commented on the David M. Burks Regional Training Center and stated that this was a

unique opportunity for this community to work cooperatively with the various public safety agencies and the colleges to meet the needs for training.

Bob Reuschlein, 956 1/2 West 4th Street, #3, commented that he had filed a complaint with the Secretary of State regarding an add that was placed in the Senior News for Cynthia Wooten which appears to have the endorsement of Peter DeFazio. He stated that it was not an endorsement.

5. COMMISSIONERS' ANNOUNCEMENTS

To be held at 10:40 a.m.

12. EMERGENCY BUSINESS

ORDER 92-5-13-18/In the Matter of Entering into an Intergovernmental Agreement with the City of Eugene for Sidewalks along 16th Avenue from Friendly Street to Van Buren Street.

MOTION: Approval. Rust MOVED, Roberts SECONDED. Roberts commented that this was an indication of a new and more positive working relationship between the neighborhood and the Fairgrounds. Rust thanked the Board and staff for their incredible responsiveness to this concern. VOTE: 4-0.

6. COMMISSIONERS' BUSINESS

- a. ORDER 92-5-13-2/In the Matter of Entering Into a Lease Agreement with Emerald Valley BMX.

Cornacchia commented that this lease with Emerald Valley BMX was an opportunity for elected officials to make a positive contribution as partners with an organization which is dedicated to the improvement of the youth in this community. He stated that he had been impressed over the past four years by the dedication of Emerald Valley BMX to the young people involved in the program and added that he had received a generally positive response from citizens. He thanked Teresa Wilson, Assistant County Counsel; Bob Keefer, Parks Manager and Katherine Warner, Risk Manager, for all of their help with the preparation of this lease.

Rust applauded Cornacchia for his work with this organization and the positive outcome of his efforts. He added that Emerald Valley BMX was an attraction for the area which contributed to tourism; though, he would agree with Cornacchia that the primary contribution of this club is to the youth of Lane County. Roberts commented that he would agree with Rust and that he would support this order. He stated that he would like to have the County Administrator execute this lease substantially in its present form. He suggested a change under 4.2 leaving out the word "annually" and under 4.3 adding a reference to the City of Eugene. He suggested that there be no liability from BMX regarding the County maintaining additional

parking. Wilson stated that this parking language was intended to be "to the extent possible". Dumdi thanked Cornacchia and Snook for all of their efforts and stated that BMX racing was a wonderful way to keep kids busy.

Cornacchia stated that he will revise the lease according to the above discussion. MOTION: Approval of the order. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0. Jim Johnson, County Administrator, stated that he would add language to the order suggesting changes in the lease in a manner substantially the same as those discussed today.

7. EXECUTIVE SESSION as per ORS 192.660

To be held later in the meeting.

8. COUNTY ADMINISTRATION

a. Announcements

Johnson thanked all those who had expressed sympathy to him following the death of his mother.

9. PUBLIC WORKS

- a. ORDER 92-5-13-3/In the Matter of Approving an Intergovernmental Agreement with the City of Junction City Regarding Delegation of Planning and Building Regulation Functions in Conjunction with a Contract Zoning Request (Applicant: City of Junction City on behalf of Property Owner Les Gilmore).

Al Couper, Associate Planner, presented this item to the Board. MOTION: Approval. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

- b. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1021/In the Matter of Amending the Rural Comprehensive Plan Designation Applying to the Northern 40 Acres Within Tax Lot 300, Map 18-04-11, from Agriculture to Marginal Lands, and Rezoning from E40/RCP (Exclusive Farm Use) to ML/RCP (Marginal Lands), Adopting a Severability Clause and Findings in Support of this Action.

Dumdi read the ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing for June 3, 1992, 1:30 p.m. in Harris Hall. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

- c. FIRST READING AND SETTING SECOND READING AND PUBLIC HEARING/Ordinance No. PA 1014/In the Matter of Amending the Rural Comprehensive Plan Designation Applying to Tax Lot 1000, Map 16-04-16, from Agriculture to Parks and Recreation, and Rezoning

from E30/RCP/FP (Exclusive Farm Use with Floodplain Combining District), to PR/RCP/FT (Parks and Recreation with Floodplain Combining District), Adopting a Severability Clause and Findings in Support of this Action and an Exception to Statewide Planning Goal 3 for Tax Lot 1001, Map 16-04-16.

Dumdi read the ordinance into the record. MOTION: Approval of the First Reading and setting Second Reading and Public Hearing for June 3, 1992, 1:30 p.m. in Harris Hall. Roberts MOVED, Cornacchia SECONDED. VOTE: 4-0.

d. REPORT BACK/Wetlands Permit Administration.

Jim Mann, Senior Planner, presented this item to the Board. He stated that approximately 400 wetland determinations had been performed in March and that eight sites were apparently within a wetland. He stated that it would probably take about one week per month of staff time to perform the wetland determinations and staff believed that the time involved could be substantially reduced and the potential for error could be reduced if the wetland boundaries were computerized to match the parcel data in RIS. L-COG could do the digitizing on the computer for approximately \$16,000.

Rust stated that he was inclined to support this if there is a savings of staff time. Mann commented that there is a high potential for error when the work is done manually and one mistake would pay for the computerized data system. Cornacchia commented that the state continues to add more and more requirements on the planners and he would support using the computers to lighten this load and assist the public. He asked that it be made very clear to L-COG that this information was to be technical material from the Division of State Lands and not L-COG policy. Johnson recommended that a cost/benefit analysis be done prior to purchase of this computerization and that it be reviewed by ISSC (Information Systems Standing Committee). MOTION: To conceptually approve computerization of wetland and floodplain boundaries. Roberts MOVED, Rust SECONDED. Cornacchia commented that he did not want this to be held up since this is a high priority issue and provides direct service to the public. VOTE: 4-0.

e. THIRD READING, DISCUSSION AND ACTION/Ordinance No. PA 1018/In the Matter of Adopting the Eugene Commercial Lands Study as a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

To be held later in the meeting.

10. CONSENT CALENDAR

Cornacchia asked that 10.F.1, 10.F.2., and 10.F.3. be pulled from the Consent Calendar.

- A. Approval of Minutes: April 15, 1992, Regular Meeting
Following HACSA
April 15, 1992, Regular Meeting, 1:30 p.m.
April 20, 1992, Joint Meeting
BCC/EWEB Board, 5:30 p.m.
- B. County Counsel
- 1) ORDER 92-5-13-4/In the Matter of Formation of the Siltcoos Heights Water District.
 - 2) ORDER 92-5-13-5/In the Matter of Amending Chapter 21 of Lane Manual to Revise Provisions with Regard to Purchase Orders (LM 21.215).
 - 3) ORDER 92-5-13-6/In the Matter of Delegating Authority to Execute a Temporary Easement with Centennial Bank and a Notice of Clarification/Release of Lease.
- C. Assessment and Taxation
- 1) ORDER 92-5-13-7/In the Matter of a Refund to Weyerhaeuser Company; Lane Tower Associates; Patterson Tower Associates; K. D. Gilbert, Inc., Ross Corporation; Spring Associates; Image Business Forms, Inc., and AT&T Communications of the Pacific Northwest, Inc.
- D. Health and Human Services
- 1) RESOLUTION AND ORDER 92-5-13-8/In the Matter of Accepting a Revenue contract with Sacred Heart General Hospital; and Delegating Authority to the County Administrator to Sign the Contract.
- E. Public Safety
- 1) ORDER 92-5-13-9/In the Matter of Approving an OLCC License (New Outlet & Greater Privilege) for Gordon M. Siebers and Thomas Siebers, dba: Rustic Skillet, Blue River.
 - 2) ORDER 92-5-13-10/In the Matter of Approving Various Liquor License Renewals for Various Individuals.
- F. Public Works
- 1) ORDER 92-5-13-11/In the Matter of Amendment of the FY 1991-1992 Through 1995-1996 Capital Improvement Program to Include Expenditure of Funds in the Amount of \$575,000 for Construction of the Leo Harris Parkway Project and Authorizing the County Administrator to Execute Intergovernmental Agreements.

Pulled.

- 2) ORDER 92-5-13-12/In the Matter of Establishing that the Leo Harris Parkway Project Not be Funded by Special Assessments for the Construction of Curbs, Gutters and Sidewalks.

Pulled.
- 3) ORDER 92-5-13-13/In the Matter of Awarding a Contract to Wildish Paving Co., for Sewers, Grading, Basing, Paving and Illumination on Leo Harris Parkway, Centennial Blvd., to Centennial Blvd. (Autzen Stadium), Contract No. 91/92-14

Pulled.
- 4) ORDER 92-5-13-14/In the Matter of Awarding a Contract to Wildish Paving Co. for Sewers, Grading, Paving and Signals on Hayden Bridge Road, Fifth Street to Nineteenth Street, Contract No. 91-92-15.
- 5) ORDER 92-5-13-15/In the Matter of Awarding a Contract to Eugene Sand and Gravel Inc., for Asphalt Overlay of River Road Area Streets, Contract No. 91/92-16.

MOTION: Approval of the balance of the Consent Calendar. Rust MOVED, Roberts SECONDED. VOTE: 4-0.

10. F. Public Works

- 1) ORDER 92-5-13-11/In the Matter of Amendment of the FY 1991-1992 Through 1995-1996 Capital Improvement Program to Include Expenditure of Funds in the Amount of \$575,000 for Construction of the Leo Harris Parkway Project and Authorizing the County Administrator to Execute Intergovernmental Agreements.
- 2) ORDER 92-5-13-12/In the Matter of Establishing that the Leo Harris Parkway Project Not be Funded by Special Assessments for the Construction of Curbs, Gutters and Sidewalks.
- 3) ORDER 92-5-13-13/In the Matter of Awarding a Contract to Wildish Paving Co., for Sewers, Grading, Basing, Paving and Illumination on Leo Harris Parkway, Centennial Blvd., to Centennial Blvd. (Autzen Stadium), Contract No. 91/92-14

These three items taken together.

Cornacchia questioned the dollar amount listed for the Leo Harris Parkway items as being low. Johnson commented that there would be an additional contract later for the portion of the project which is right at Gate 4. MOTION: Approval of all three orders. Rust MOVED, Cornacchia SECONDED. VOTE:

4-0. Johnson applauded the efforts of the Public Works staff on this project.

This meeting recessed at 10:35 a.m. to reconvene at 10:45 a.m.

11. PUBLIC SAFETY

- a. ORDER 92-5-13-16/In the Matter of Approval of the Master Plan for the David N. Burks Regional Public Safety Training Facility.

John Clague, Captain, presented this item to the Board. He stated that this training facility was a partnership between the County and the City of Eugene which will be jointly maintained and operated. He noted that there were some physical constraints to this site; the landfill limits the development of the facility and slope, bedrock and environmental considerations will direct how the training facilities are placed on the site. The next issue which will have to be addressed is the need for explosive disposal and driver training. The master plan for this site will address alternative funding sources and alternative uses as well.

Cornacchia commented that he wanted to make sure that the action taken today would not bind the Board to financing the facility. He added that he was enthused by the proposal and encouraged staff to continue to develop ideas. Roberts commented that the advantage to this proposal is that as resources become available, there is a plan which allows the County to move forward. Rust stated that having this training facility is important to the lives of Public Safety employees and the citizens of the County. Mike Turner, Solid Waste Manager, commented that the dominate use at the site was going to be landfill, though he could be entirely supportive of the training facility and the information contained in the master plan. MOTION: Approval of the order with a note to retain the landfill options on this site. Roberts MOVED, Rust SECONDED. Cornacchia commented that the County options in the future for landfill cannot be diminished, though he could appreciate the need for this facility. He stated that the Lane County Public Safety Department is doing a remarkable job in the training of its employees and has a very professional and effective staff. VOTE: 4-0.

9. PUBLIC WORKS

- e. THIRD READING, DISCUSSION AND ACTION/Ordinance No. PA 1018/In the Matter of Adopting the Eugene Commercial Lands Study as a Refinement to the Eugene-Springfield Metropolitan Area General Plan, and Adopting a Severability Clause.

This item continued from earlier in the meeting.

Michael Copely, Associate Planner, presented this item to the Board and introduced Teresa Bishow of the Eugene Planning Division.

Copely distributed a summary of action taken by the Eugene City Council with regard to this ordinance including three changes to the ordinance (see material on file). Bishow stated that it would be a judgment call on the part of the Board whether these changes would be viewed as substantial. Cornacchia commented that this particular land study is not intended to prevent elected officials and governments from identifying large vacant commercial sites in the future, if they so desire. Bishow stated that that was correct and that it could be an implementation strategy, it does not have the force of law and could not bind elected officials to future actions. She stated that the policy states that the County will, in good faith, promote the development of existing commercial areas. Cornacchia stated that his interest is that decisions not be made now which will prevent changes as circumstances change. Bill Van Vactor, County Counsel, suggested that the Board hold the Public Hearing on the changes only. MOTION: To approve the Third Reading and to hold a Fourth Reading and Public Hearing June 3, 1992, on the changes only. Roberts MOVED, Rust SECONDED. VOTE: 4-0.

5. COMMISSIONERS' ANNOUNCEMENTS

Roberts announced that he had been asked to serve as one of two government advisors to a group called NOAH (Network for Oregon Affordable Housing). This group is a consortium of banks which have pooled their money to make loans for affordable housing.


Cornacchia asked for some discussion about the Economic Development Assistance Program. He stated that his understanding was that the main goal of this Program was that the development create family-wage jobs and not necessarily be limited to industrial development. The Board concurred that this Program was not limited strictly to industrial development.

Rust was excused at 11:35 a.m.

Dumdi announced that North Eugene High School responded to the "Living in Lane County" contest which was held as part of National Counties Week.

Dumdi announced that she had received a request from the Department of Human Resources to appoint a Commissioner to serve on the Regional Workforce Quality Committee. The Board nominated Dumdi to serve on this Committee.

There being no further business, this meeting adjourned at 11:44 a.m.


 Judy Waldeman
 Recording Secretary