
City of Florence
City Council Minutes
May 3, 2010

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Alan Burns, and Councilor Suzanne Roberts. Councilor Dave Franzen was absent. Staff in attendance included City Manager Robert Willoughby, Assistant City Manager Jacque Morgan, Public Works Director Mike Miller, Community Development Director Sandra Belson, Senior Planner Wendy Farley, Police Chief Maurice Sanders and City Recorder Pat Heinze.

PROCLAMATIONS

Drinking Water Week – May 2-8th, 2010

Mayor Brubaker read the proclamation for Clean Drinking Water Week, May 2-8th and presented it to PWD Miller who accepted it on behalf of the public works department.

National Law Enforcement Police Week – May 9-15th, 2010

Mayor Brubaker read the proclamation for National Law Enforcement Police Week, May 9-15th and presented it to Chief Sanders who accepted it on behalf of the police department.

PRESENTATION

Greener Florence Awards

Mayor Brubaker said last year the council expanded the responsibilities of the Solid Waste Committee along with changing the name of the committee to the Environmental Management Advisory Committee (EMAC) at the request of the volunteers who were serving on the committee. He said the committee had developed plans to raise the community's consciousness about recycling and other avenues of environmental service. He said they developed the concept of the "Green Awards" for the City of Florence and with the approval of the council and they were there that evening to honor the six businesses that had impressed the committee. He read the certificate that was given to each of the recipients: "In recognition and appreciation of your significant efforts towards a more environmentally friendly community, I hereby extend the gratitude of the City Council and the citizens of Florence to:

- ❖ Morgan's Country Kitchen – for recycling over 50% of their waste volume and diverting food waste for use as chicken feed and biofuel.
- ❖ Bay Street Grille – for recycling over 57% of their waste, including all cardboard, glass, plastic and tin.
- ❖ Oregon Pacific Bank – annual shred day, active participant in the Florence Green Fair and partners with SOLV beach litter pickup.
- ❖ Three River's Casino – fry oil recycled for biodiesel, wine corks for sporting goods equipment, bingo paper for new paper products, reusable ink cartridges, etc.

After Mayor Brubaker presented the certificates of appreciation to the businesses he then acknowledged the haulers; Central Coast Disposal and Country Transfer and Recycling. He said the employees at both of these businesses are serving our community every day with refuse management practices. He said we are moving closer to the day where we will begin to recycle yard debris with our bisolds here in the city and our haulers will have a major role to play in that project. He then recognized David and Lynn Twombly from Central Coast Disposal and Dan Webb from County Transfer and Recycling.

Mayor Brubaker thanked the members of the EMAC committee and SP Wendy Farley for staffing the committee.

APPROVAL OF AGENDA

Mayor Brubaker asked for any additions or corrections to the agenda, hearing none he proceeded with public comments.

PUBLIC COMMENTS

Mayor Brubaker explained that this was a time in the meeting that offered an opportunity for anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.

Leo Duwell—Owner of Bridgewater: Mr. Duwell said he would like to speak to the issue of the fireworks ban. He said he would like to ask those councilors who are so adamant about this ban; the reasoning for their position. Mayor Brubaker said this was not the time for discussion on this item, it would be an agenda item at the June 7th meeting and councilors could answer questions at that time. Mr. Duwell said some of the issues that he had heard from members of the community included taking away the liberty and freedom of our children and grandchildren to celebrate Independence Day that has been a tradition for many years. He said he knew that at least one councilor had served in the armed forces, and part of that service included protecting that freedom and liberty. He said he felt the community was in disbelief about this subject and it was an embarrassment when customers came into his establishment from the valley and made remarks that they were shocked by the news and were under the impression that the ban was already put in place. He said he couldn't believe that we would want to put an extra burden on the police department by enforcing this ban. He also expressed his bewilderment that we had to wait for June 7th for the fire chief to be able to make an official statement.

Bruce Jarvis – 2389 21st Street: Mr. Jarvis said he too wanted to speak to the proposed ban of the legal fireworks. He said when he last spoke to the council he stated that a petition was being circulated around town requesting that the proposed ordinance to ban legal fireworks in Old Town be terminated. He said as of that evening they had gathered 112 signatures and those were gathered from only 4 locations. He said the two concerns expressed most often to him and he quoted a citizen, "One more reason for folks to stay away from Florence." "Attempted enforcement of such an ordinance will be difficult

if not impossible.” He then read an email he received that morning from some friends that had visited over the weekend. “We are sad to hear about the proposed ban on personal legal fireworks on the waterfront in Florence this year when we were down this weekend. We were planning on bringing the grandkids down for the 4th of July celebration there, but we will be changing our plans if the ban is in effect. We’ve so enjoyed doing this with our family and shopping while there. We will be looking for an alternative this year.” Mr. Jarvis said this proposed ordinance is ill conceived and will create a negative image of Old Town and engender enforcement problems, as well as adding to the financial stress of our business community.

With no further comments, Mayor Brubaker moved on to the consent agenda.

CONSENT AGENDA

MINUTES

Consider approval of minutes of the council meeting minutes of April 19, 2010.

Councilor Roberts moved to approve the minutes of the regular council meeting of April 19, 2010. Second by Councilor Burns, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent.

PUBLIC HEARING

DISPOSITION OF THE OLD SENIOR CENTER BUILDING

Consider taking public testimony regarding the disposition of the Old Senior Center Building located at 1424 15th Street.

Mayor Brubaker stated that staff will give their report before opening the public hearing.

CM Willoughby said the Senior Boosters, who are now Florence Community Center, Inc., are completely moved out of the old senior center, so it is time for the council to decide what the city will do with the property. He said PWD Miller had done preliminary work and research in terms of what it is going to take to use and/or maintain or demolish the facility.

PWD Miller presented a slide show which showed photographs of the conditions of the old senior booster center.

- He referred a photo of the exterior which showed the age of the building, including roof issues; wood siding which is contacting the earth, dry rot and drainage issues. He said this is an indication of some of the repairs that are needed. He added that the building was built in the 1950’s and has been added onto over the years.
- The electrical is not up code; the wiring is totally inadequate and is a fire hazard according to the inspector. He said the estimate that we received from a local electrician to rewire the building was \$20,000.
- He referred to a photo of the front of the building and the stairway going down to 15th Street which requires a concrete pad. He noted the stairway and the fact that the seniors had to climb stairs to get into the

building; another ADA issue. He added that at the new senior center the parking lot is totally flat and the sidewalk is level with the pavement from the parking lot into the building

- He referred to the access way under the building and pointed out much of it was in disrepair. He said according to the former maintenance folks the crawl space is full of sand which has caused soft spots in the flooring because of the contact with the sand.
- He said there are some roof issues including ponding on the roof and it needs to be redone.
- He referred to a photo with PW/GIS Manager, Ron Miller, (who is actually one of the few employees qualified to go into the new building), that shows an exposed electrical patch panel.
- He referred to a photo of the grill and noted where the vent had been taken out and covered, but unfortunately that area had become uncovered by the wind and rain; therefore, the building had a lot of water inside from the rain. He said the walls were soaked and there is already mold and mildew growing on the dry wall.
- He showed another photo which showed another penetration in the ceiling in the kitchen; and noted there were actually three penetrations from three different hood vents; which leads to additional failures for the roof. He said the kitchen is totally inoperable.
- He referred to the photo of the used water heater; the seniors replaced the 100 gallon water heater with the smaller one but there is a plumbing issue as there is water all over the floor.
- He showed photos of the storage area, where the ceiling had collapsed and the insulation is hanging down.
- He said in one of the crawl spaces that could be accessed, there was unprotected plumbing; there are downspout issues and water is getting underneath and rotting out the siding.
- He showed a photo of soffits that needed to be replaced.
- He then referred to the ADA issue going into the main floor; it's an inaccessible route.
- He referred to a photo of the front of the senior center and the conditions of the roadway and said that the building is not ADA compliant and that would need to be addressed.
- PWD Miller said he was surprised at the condition of the hard wood floor; it needs works, but he thought it was true hardwood and they would have that assessed before they try to salvage it.

CM Willoughby commented that the city needs to put its focus on supporting Florence Senior Center, Inc in the operation of the new senior center and that is where the city's dollars need to go; to make sure the new center succeeds. He said the city does not have money in the general fund to support, keep or demolish the old building. He said with the demolition option we have the possibility of paying some of the cost of demolition by salvaging the hard wood floor if it has value, but certainly from the large old growth beams that are in the ceiling; we know those have value. He thought the least cost alternative for the city is to demolish the building and take what salvage value that we can which would minimize the further investment we have to make with the old building.

PWD Miller said his numbers in the report were very conservative, but if it was refurbished it would need a floor in the dance area. Whether we demo the building or not the asbestos abatement needs to be addressed. He said the roof would cost over \$20,000 to repair. If we were looking at bringing the building up just enough to lease it out to another organization; it would cost about \$100,000 and it would cost another \$50,000 long term.

Mayor Brubaker said you have reported that there is one area where there is some 9x9 floor tile with the asbestos but that it was not in the walls or insulation. PWD Miller replied that we did a total search of the building for asbestos and lead in the paint. He said the lead is in such low amounts that it could be demolished, the biggest issue is the tiles with asbestos.

Councilor Roberts said it would take \$100,000 to bring the building up to minimum standards and there are so many unknowns about the building including termites and dry rot. She said it made no sense to her to keep the building and it would be good if we could get a little salvage out of it; the old growth beams and if the floor is hardwood it would be great to salvage it also. She said the seniors deferred maintenance for the last 10-12 years which was not a healthy situation for the building. She thought it would be an excellent training aid for the fire department.

Mayor Brubaker said staff's recommendation is that the council authorize public works to abate the asbestos and solicit firm quotes from qualified contractors to salvage material from the building to offset the demolition costs and to solicit bids to demolish the building and at that point the council would decide whether to demolish it or use it as a burn to learn with the fire department.

Mayor Brubaker opened the public hearing at approximately 7:30 p.m.

Sally Wantz – 2190 13th Street: Ms. Wantz said she was before the council that evening with the names of some of the most successful endeavors in Florence: first class hospital; homes through Habitat for Humanity; Humane Society; Boys and Girls Club; Pioneer Museum; Siuslaw Fire and Rescue; Skateboard park; Food Share; Siuslaw Outreach Services; Relay for Life; Empty Bowls; the newly expanded library; the Veteran's Memorial Park and most notable the new Senior Center. She said these projects were all started by people with a passion and a vision and made possible by those who shared that passion and vision, either through their time or their financial resources. She said her passion was to make it easier for our working families by providing quality childcare. She said this would make it easier for our employers to stay in business because their workers could come to work because they have a safe place for their children. She said Quality Child Care of Florence is a non-profit organization looking to open a certified center; a consistent place where parents can feel good about taking their kids while they are at work or play. The children would have a learning ready atmosphere to help them develop into the kinds of citizens we need in the community; where parenting teens can rely on this center while they continue their education. A place that completes a

circle of wonderful organizations that makes Florence. She had planned on asking the city council to allow their organization to rentivate the old senior center when it was vacated. She said now that it is vacated; she didn't think that it was any longer an option and they would not be pursuing it any further. She said they have a lease with School District 97-J for land on their property and they would continue to move forward with that plan. She said this was no longer a city request but a request of the community especially the churches who have concern for their families and their children; employers who are concerned for their employees. She said since the senior center is not available to them; they need to continue to explore; raise more money and awareness and she asked the community to consider contributing to open and operate a much needed certified child care center here in Florence.

With no further testimony, Mayor Brubaker closed the public hearing at 7:37 p.m.

APPROVAL OF DEMOLISHING OF THE OLD SENIOR CENTER BUILDING

Consider approval of staff's recommendation to demolish the old Senior Center building located at 1424 15th Street.

Councilor Burns said he was interested in doing the abatement and salvaging for \$3,000. He said if you went out for bid for salvaging how much would it cost to save the floor and beams. PWD Miller said that was a question that they don't have a good handle on; there are no local contractors that do salvage work so we're going to solicit in the Register Guard. When Councilor Burns asked staff if they had checked with the local contractors; PWD Miller replied they had checked with a few and said that they would be soliciting bids locally too. He said they would do a walk through and get an idea of who is interested and what they would be willing to pay. PWD Miller said it could be a cash payment to the city and we would use that to offset the demolition costs.

PWD Miller said the option of burn to learn was also available and after the building was burned there would be a minimal cost to clean up that area and we could look into hiring local contractors. He said it would cost approximately \$10,000 to demo it; we can grind it up on site. He said if we were able to salvage and do a burn to learn the cleanup operations could be something public works or a contractor could do; it's a minimal cost of about \$1,000.

Councilor Xavier said she knew there were a lot of people who see great value in preserving old and historic things; and this building has a great deal of meaning to people in the community and it has served the community very well. She said there will be people who have emotional attachments to the building, but as they look at the pictures and read the reports they might understand the need to demolish it. She said for all these years it has done an amazing job serving the community, but it is an extremely tired "old lady" and she thought the building had earned "her" rest and we should allow "her" that option.

Councilor Roberts asked about the retaining wall and what would happen to that. PWD Miller replied that staff will salvage it the best they could although

some of it had been glued together. He said the goal is to salvage the best material; the seniors would like to have some of the blocks for an area behind the building where they want to build a little retaining wall; they have plenty of blocks for that; the rest will be stored at public works for other public works projects. He said we have some need for those blocks at the water plant and at the parks.

CM Willoughby said he had told the Florence Senior Center, Inc. that whatever they need at the old senior center to operate the new one that they had his permission to take it.

Councilor Burns moved to authorize public works to abate the asbestos, solicit firm quotes from qualified contractors to salvage material from the building to offset the demolition costs; and solicit bids to demolish the building. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent.

ACTION ITEMS

GSI WATER SOLUTIONS, INC. CONTRACT

Consider authorizing the city manager to enter into a contract with GSI Water Solutions, Inc. to provide a Surface and Groundwater Monitoring Program for public works and the Siuslaw Estuary Partnership

PWD Miller said we solicited bids for the Surface and Groundwater Monitoring Project for the Siuslaw Estuary Partnership. He said it was partially funded by the EPA with \$21,656; it encompasses not only ground water monitoring but provides the locations of surface water bodies where recharge occurs; provides an understanding how groundwater interacts with local surface water (streams, lakes and wetlands); and provides an understanding of the aquifer response to recharge events. He said the total cost of the project is \$41,112.50 and the request that evening was for the council to authorize \$30,000 in matching funds for the project. He said public works has money in the budget to cover this; it's a three year project so it won't be all expended in the next 6-12 months it will be expended over the life of the EPA Grant. He said we solicited the bids from reputable firms and since it was a federally funded project we had to go through the steps of contacting minorities and disadvantaged which was done. He said they actually contacted seven and of those, none of the seven put in bids for the project.

He said the two bids they received were from GSI Water Solutions, Inc. and EGR & Associates, Inc. The proposals were reviewed according to the RFP by the Water Quality and Quality Work Group which is part of the Siuslaw Estuary Partnership. He said that work group consisted of staff from the City, DEQ, ODOT, Lane County Water Resources, Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, Heceta Water District and Oregon Drinking Water Program. He said through the consensus process it was unanimous to select GSI Water Solutions.

Councilor Burns asked what EGR bid and PWD Miller replied that EGR put in a proposal for the \$21,656 but they did not include any money for the source water protection program and they also wanted us to negotiate a contract with hourly rates; therefore, it was not a complete bid.

Councilor Roberts said she doesn't always understand the money and she sees from the report that EPA is going to pay about \$22,000 and then public works is going to match it for \$30,000; she asked if it was budgeted last year. PWD Miller said we had money in our contractual services for well monitoring and a year ago when we went through the budget committee process we were looking at putting in 18 monitoring wells; so there was money put in the budget to do that and that is where the \$30,000 comes from.

Councilor Roberts said ever since she had been here she had heard people discuss the direction of the ground water flow; it comes from everywhere except from straight up above and she was glad they were going to have a study to finally find out where it comes from.

Mayor Brubaker said in the work study it calls for 30 ground water wells, and asked if this is what the contract was going to provide. PWD Miller said the contract would not cover drilling the wells, but it's going to help find the location, and assist with the monitoring. He said the actually drilling of the wells is separate, which was budgeted in public works last year and another part of the financing is from the EPA grant.

Mayor Brubaker asked who decides where to put the wells. PWD Miller said on Wednesday there will be a big group meeting of the Siuslaw Estuary Partnership and they would be discussing the general locations of the wells and where they are located on the map. He said that information would be available to the public at the open house and we'll be able to shift them around. He said there are areas that we know we want to test in; residential areas inside the city, industrial areas, outside of the UGB so we know what raw ground water is; we want to test water that moves through urbanized areas; and find out what's happening with the golf courses, if their ground maintenance is either contributing/not contributing to loading of the ground water. He said it is very broad and we're looking at everything; and the public will have opportunities at the open house to question and give their opinions about where the wells should be located. He said we can move wells around as they are not set in concrete, they are conceptual and it's part of GSI Water Solutions to come up with the general locations.

Mayor Brubaker said there are residents in the north end of Florence that believe that this is a plot to track down failing septic systems. He said as he understood the study that was not the purpose; we're looking at ground water flows from the entire area, both inside and outside the UGB. He asked staff when they decide where to put the wells and before they are finalized to provide a report to the council including a map that shows where the wells will be located. He said if the council is approving them, the council will be taking it upon themselves to get all the input necessary; including attending the open

house on May 19th at the FEC. He said if that was acceptable, he thought they could close the loop on this process.

Councilor Burns moved to approve the contract for \$41,112.50 with GSI Water Solutions, Inc. Second by Councilor Xavier, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent.

LANE COUNTY AREA COMMISSION ON TRANSPORTATION

Consider approval of Resolution No. 12, Series 2010, a resolution endorsing the April 16, 2010 draft Bylaws for the Lane County Area Commission on Transportation (LACT)

Mayor Brubaker said there is a Transportation Commission in Oregon appointed by the governor that makes decisions every year on the prioritizations of transportation funds throughout the state; this process was coordinated by ODOT. He said to help them make those decisions; they rely upon 18-19 ACTS (Area Commissions on Transportation) which are regional bodies specialized only for that purpose. He said in some cases there are 3-4 counties in an ACT including a bunch of cities. He said on the east side of Oregon there may be 3-4 counties and three cities; so they are tailored to each geographical region. He said Lane County has never had an ACT and part of the reason is the county commissioners thought they were capable of representing the county and that had become an increasing source of concern over the years about the input and where were we getting the money for Lane County Transportation projects that we were entitled to without having this important advisory recommendation role to the OTC. He said last year two senators sponsored Senate Bill 944, directing Lane County to form an ACT and how that would take place would be up to the discretion of the Lane County Commissioners, and the bill requires a formation of an ACT by this coming September 30th. He said the Lane County Commissioners decided that they wanted to get a great deal of public input on how this should work and commissioned a process of advisors inviting each one of the jurisdictions to meet and form a set of bylaws that would go back to the Board of County Commissioner for their review. He said the process started in January and they hired a consultant to put together the proposed bylaws for a Lane County ACT.

He said that group finished its deliberations last month with the consensus of all the participating members and they would receive the bylaws before it went back to the county commissioners.

He said participating in these discussions were four entities from the west Lane County area; two were required by the statutes; the Port and the Tribal confederation and whether cities got to sit at the table was still under discussion. If the bylaws are adopted as recommended then the west Lane County area would have four seats at the table: City of Florence; City of Dunes City; Tribes of the Coos, Lower Umpqua and Siuslaw Indians, and the Port. He said this will give us more clout than if just one of the entities was involved in the decision making process. He said he thought it was a good thing and he recommended that the council approve this.

He said at the last meeting which included all of the cities in Lane County (everyone of them) the Tribes and the Port voted on the bylaws and the final vote showed that everyone was in favor with the exception of County Commissioner Handy and he voted in favor/but with some concerns. He said the commissioners have now asked for each of these agencies to weigh in on what they think of the bylaws and our input is due by May 17th. He said the commissioners will then take it up and they have until September 30th to decide what they want to do.

He pointed out that the city's resolution states, "The City reserves the right to rescind this endorsement if any substantial changes, as determined by the City, are made to the Bylaws by the Lane County Board of Commissioners during their adoption process." He said the key factors are:

- Every city gets a seat at the table, from Eugene at 120,000 to Westfir at 400 (this is what every city gets in other ACTS around the state)
- One for one voting, no proportionate voting to population or any other formula, each entity gets one vote
- Recognizing the highly competitive nature of transportation funding and all the ACTS around the state there is a submission schedule when the ranking process begins and the ACTS that do everything by consensus (all those constituents in the ACT) have a lot more clout than recommendations where the ACT is split. He said as a protection for that, we decided on the question of a super majority. These bylaws propose 80% of those attending the meeting (you need 75% of the participants to have a quorum) and 80% of those 75% have to support a recommendation or ranking. He said it is near consensus, if you can't get full consensus.

Mayor Brubaker said in addition to the cities and the statutory mandates by the Tribes and the Ports; there are several of the members who have been proposed as voting members to the ACT. He said in Lane County, Hwy 126 east (Vida, Blue River) there are no cities once you get east of Springfield. He said it was decided that there would be a Hwy 126 east representative appointed by the commissioners to represent that area. He said there was a lot of discussion about the right number of special interest groups that have seats on the ACT as voting members (all the other ACTS had the truckers association) and how many special interest seats would we recommend. He said they decided "up to 6" and that those positions would be appointed by the ACT itself, not the county commissioners; that may be the reason that Commissioner Handy was not totally in favor of the bylaws. He said everyone else in the room was totally in favor.

He said the emphasis is on participation so there are very strict disqualification requirements and if any entity misses 3 meetings in a row, they no longer have a vote until they do something to be invited back to be a voting member.

He said he was impressed that the rural cities pulled together to make sure that their voice was heard.

Councilor Burns asked concerning the city's representation on the ACT; would it be an elected official or someone appointed by the council? Mayor Brubaker said the council would appoint an elected official; but that appointee could always take a staff person with them to the meetings.

Councilor Roberts said she didn't understand why ultimately the Senate of the State of Oregon had to tell the county to form this ACT; and wondered what empire the commissioners had been protecting. She said reading the correspondence of Mr. Zako (Project Manager) it appeared one needed to treat them with kid gloves and listen to them closely. She said the point she was trying to make was to see this from the county perspective. Mayor Brubaker said the historical position has been that Lane County was made up of only one county; we didn't need a special entity or ACT and that the county commissioners decided that they could represent their constituents in the internal process on transportation projects.

He said the real answer is politics and one that he thought we were now past in the process. He said Mr. Zako was hired by the county to facilitate the ACT process; he did a good job in trying to keep things balanced.

He said there are two other appointed members at the table who also vote and they are also appointed by the Lane County Commissioners; there is a Road's Advisory Committee (RAC) a member of that committee will be appointed by the commissioners to the ACT under the bylaws and they also have a Citizens Advisory Committee (CAC) they would also have a position appointed to the ACT. He said under the bylaws as proposed the county has four seats at the table: a commissioner, Hwy 126 east representative, RAC representative, and a CAC representative. He said the real test is the consensus and the decision making clout process with the OTC showing that we're all in this together. He, personally, would be surprised if there were a rejection of these bylaws by the county commissioners. He said there is also no way that they will decide on this before May 18th; but we need to make our input in a timely manner.

CM Willoughby reported that they had extended the time to May 31st so the cities that only meet once a month can meet the timeline.

Councilor Burns said he had no problem supporting this after hearing Mayor Brubaker's report.

CM Willoughby said the Mayor was the expert on this as he had read all the material. He said the statute itself provides for the OTC to ultimately decide if the county commissioners do make the change to this recommendation and if anyone disagrees they will have the opportunity to make that case directly to the OTC.

Councilor Roberts moved for adoption of Resolution No. 12, Series 2010, a resolution endorsing the proposed bylaws for the Lane Area Commission on Transportation (LACT). Second by Councilor Burns, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent.

**CITY OF FLORENCE
RESOLUTION NO. 12, SERIES 2010**

**A RESOLUTION ENDORSING THE PROPOSED BYLAWS FOR THE
LANE AREA COMMISSION ON TRANSPORTATION (LACT)**

WHEREAS, Senate bill 944 requires Lane County to form an Area Commission on Transportation Commission; and

WHEREAS, The Lane County Board of Commissioners established a Forum on an Area Commission on Transportation for Lane County (FACT-LC) to develop bylaws for the Lane Area Commission on Transportation; and

WHEREAS, FACT-LC, on which the City of Florence participated, through a series of public meetings and with considerable public input achieved consensus on language for the Bylaws for a Lane Area Commission on Transportation.

NOW, THEREFORE, BE IT RESOLVED that the City of Florence, through its City Council, endorses the proposed Bylaws for a Lane Area Commission on Transportation, dated April 16, 2010, developed by the Forum for an Area Commission on Transportation for Lane County. The City reserves the right to rescind this endorsement if any substantial changes, as determined by the City, are made to the Bylaws by the Lane County Board of Commissioners during their adoption process.

This resolution will become effective immediately upon adoption.

REPORTS

CITY MANAGER REPORT

CM Willoughby asked CDD Belson to report on the Parks Master Planning process as staff is requesting feedback from the council on a couple of questions since the planning process is about to be initiated. He said the first question before the council is how much information does the city council want in the beginning of the process as opposed to having the planning commission hold hearings, make a recommendation and then the council would receive it for the first time. He said the second question is whether the council wants to see a second copy of that draft plan now and is the council interested in having joint workshops or joint hearings with the planning commission.

CDD Belson said the Park Master Plan has been underway for many years and about a 1½ years ago we created a Parks and Recreation Master Planning Committee to work with staff to get the plan to the point where it would reflect current community needs and be ready to be incorporated into the city's Comp Plan and serve as a basis for a capital improvement plan that would enable the city to establish a SDC (if the council chose) for park capital improvements.

She said the master plan committee has now finished its work in terms of approving their draft; they then presented that draft to the planning commission to initiate the amendment process. She said at the last meeting the planning commission was not quite comfortable enough with the draft plan to actually initiate the process. She said they wanted staff to do some more work in terms of discussing some items that they had questions on regarding the state and requested staff to come back with a more finished draft product. She said staff is anticipating that they will answer the planning commission's

questions in the packet that would go out this week and at their meeting next week they would actually initiate the amendment process. She said as CM Willoughby had said the question at this point for the council is how and when you want to be involved in the adoption process. She said staff could go the traditional route which is that the planning commission holds a public hearing and makes a recommendation to the council; the council holds hearings and makes a final decision. She said they would be holding an open house for the public to get one last more informal level of involvement from the public; potentially holding that on June 8th which is the night of a regular planning commission meeting. She said they were thinking of holding an open house from 5-7 and then hold a worksession from 7-9; but that is open at this time.

CDD Belson said there are various ways this can be done:

- Joint worksessions
- Joint public hearings
- Update to the council as they continue on through the regular process

Mayor Brubaker said he was a big believer in the public benefit of parks and he loved the bike trails. He said we are surrounded by park land in the greater western Lane County area. He wanted to make it clear that although CDD Belson had said this was a capital improvement for parks, there is no money for expansion of the parks and even SDC's would not allow for park maintenance and operations and he said he hoped everyone would go into the process understanding that fact. He said this council had agreed conceptually that looking at park SDC's (system development charges paid by new developments) put into a parks development fund was a legitimate public purpose and he thought they decided that it was a matter of policy and if that was not the consensus then they should revisit this right now.

Mayor Brubaker said by watching the planning commission meetings on the television he didn't see that coming through in their discussions.

Councilor Roberts said she concurred with the Mayor's comments and she recalled that in the last couple of years, that Councilor Burns had reminded everyone that we don't have any money; but the important thing was to take care of what we do have, we must try and maintain. She said ultimately down the line she thought the city would be getting some money from somewhere to do something with our parks. She said she wanted to be sure that land that we have talked about is put in to perpetuity for parks. She said a good example is the Habitat for Humanity land which we bought, that property has some 2nd growth trees and a lovely stream on the property and would make a great park.

Councilor Xavier said she agreed with all those things and she thought it was important to preserve the possibility that at some point in the future we will have the means to be able to do something. She said she had been concerned about building false expectations ever since they started to work on the Master Plan, because if we get people excited about how great it would be to have this or that, when the city doesn't have the financial means to do these things at this time it can be a real let down to the community. She thought it was

important to have a plan so we don't squander resources that would be best held for those purposes. She said she was happy to have the process be handled in the regular way as long as we are up front about expectations.

Councilor Burns said he totally concurred with all the comments made; he would like to see the plan and loved the idea of putting the land off to the side and he reiterated that we have no capability of maintaining what we have and SDC's can only be used for expansion and not maintenance or repairs. He said he for one, would like to see the document.

Mayor Brubaker said we're not talking about a parallel process or a workshop; but we are talking about introductory comments at every session that says, "Show us the money." CM Willoughby said we'll put that burden on CDD Belson to make sure that that caveat is repeated, but he also heard the council say they would like to see the draft plan so they could follow the process along with the public. CDD Belson said the plan was very big and she didn't know if staff could email it to the council; but the planning commission packets are on the website and the council could always see them there. She said but once the plan is released to the public for review; staff will make sure the council gets a hard copy at that time.

Jacque Morgan Marathon Results

CM Willoughby welcomed Assistant City Manager Jacque Morgan back from vacation and congratulated her on her time in the Boston Marathon of 3:46 and that she had a faster time than more than ½ of the field of runners.

Mayor Brubaker said he followed the marathon website; he sorted the results by age, state and gender and she was in the top 10 women marathoners in her age category from Oregon.

MAYOR AND COUNCIL REPORTS

Urban Renewal Meeting

Councilor Xavier reported that there would be an Urban Renewal meeting on Wednesday the 5th and they would be discussing budget and they would be reviewing two more grant applications. She said that makes 7 projects that they have approved.

Transit Advisory Committee

She said she wrote a letter to the Chamber of Commerce on behalf of the Transit Advisory Committee detailing the service that the Rhody Express provides for the visitors that come to town on Rhody weekend and how that occurs. She said although it is a free service that is provided; there is always a cost to "free" and she thought it was important for the Chamber to understand that the free service that is provided actually costs about \$1,800 which is paid for out of the Rhody operating funds. She said she wanted to emphasize how important it was to support that event and at the same time inform them about the level of service for that event.

Bus Shelter in front of City Hall

Councilor Roberts asked when we might get the shelter out in front of city hall. PWD Miller said the grant funds were tied up; it's the process that the city has to go through to get the federal government to approve the grant and it is all in process. He said we were hoping to have the grant money 6 months ago. Councilor Xavier expressed her concern because there are 5-6 shelters that are being held over at Lane Transit that we planned to use after refurbishing them. She said last time LTD had some shelters, they disappeared and she didn't want that to happen to these. She said we don't want to pick them up until we have money in hand so we can refurbish them and get them ready to install.

Budget Committee Meeting

Mayor Brubaker thanked everyone for the meeting and reminded everyone of the first budget committee meeting on Thursday the 6th at 6:00 p.m.

With no further business, Mayor Brubaker adjourned the meeting at 8:36 p.m.

Phil Brubaker, Mayor

ATTEST:

Pat Heinze, City Recorder