

EUGENE WATER & ELECTRIC BOARD
SPECIAL MEETING
EWEB BOARD ROOM
MAY 8, 2007
5:30 P.M.

Commissioners present: Mel Menegat, John Simpson, Patrick Lanning, Ron Farmer, and John Brown.

Others present: Randy Berggren, Tom Buckhouse, Jim Origliosso, Roseanna McArthur, Marty Douglass, Ken Beeson, Lance Robertson, Debra Smith, Deborah Brewer, Mark Oberle, and Krista Hince EWEB staff; Ruth Atcherson, City of Eugene minutes recorder.; and members of the public.

President Menegat convened the Special Meeting of the Eugene Water & Electric Board (EWEB) at 5:30 p.m.

AGENDA CHECK

President Menegat indicated that there were no changes to the agenda.

PUBLIC INPUT

President Menegat reviewed the rules of the Public Input portion of the meeting.

Mark Oberle, EWEB customer, stated that he was speaking as a Credit Union member. He thanked the utility and the Board for 53 years of support for the Credit Union. He invited the Commissioners to the 53rd annual meeting of the Credit Union. He said there would be food and drink and as part of the celebration three scholarships would be awarded to children of EWEB family members. He provided the Commissioners with the introductory packages for the Credit Union that all new employees were provided. He noted that Commissioners were eligible to be members.

Zachary Vishanoff, EWEB customer, thanked the Board members who made it to the City Club for the discussion on the Riverfront property. He wished to ensure that the “deal really goes well.” He did not want anyone to get boxed in by regional ideas of development. He asserted that the City of Eugene tried to emulate the City of Portland. He did not think this was a healthy model. He expressed concern that if the public was not involved in the discussion regarding the riverfront property it could be “engulfed” by the Riverfront Research Park. Additionally, he thought the alleged toxic waste dump on EWEB property should be discussed in a public forum.

APPROVAL OF CONSENT CALENDAR

Items needing approval were deferred to the Regular Meeting scheduled for May 15.

ITEMS REMOVED FROM THE CONSENT CALENDAR

This item was also deferred to May 15.

ITEMS FROM BOARD MEMBERS

Commissioner Brown remarked that the meeting upriver had been very productive. He expressed appreciation to staff for coordinating it.

Commissioner Farmer thought there should be some further effort to try to get the word out about the meetings upriver in order to increase attendance.

Commissioner Farmer noted that he would be gone during the week of the 4th of July as well as the week of August 7.

CORRESPONDENCE

There were no items of correspondence to report.

BOARD AGENDAS

General Manager Randy Berggren stated that the agenda report had been updated and the next meeting was scheduled for May 15.

RIVERFRONT MASTER PLAN OPTIONS

Real Property Manager Mark Oberle provided a brief overview of the *Riverfront Master Planning Project – Proposed Access Option* as outlined in the memorandum dated *May 8, 2007*. He noted that the draft Memorandum of Understanding (MOU) had been revised.

Commissioner Farmer felt EWEB should take the fiduciary position and represent itself as the owner of the property. He thought EWEB should move forward with the master planning process and seek input from the appropriate city departments and community members. He said EWEB should listen to the suggestions made by the city but it was up to EWEB and the Commissioners to decide what to undertake and how to go about it. He preferred completing the master planning process prior to offering the property to the city.

Commissioner Brown expressed some concern that EWEB would go through the time and effort of developing a master plan for the property and then the city would opt to purchase the property and use it for municipal purposes, for which it was already zoned.

Mr. Oberle echoed Commissioner Brown's concern. He said this was why he wanted to push the city to define its interest in the property before EWEB engaged in the master planning process.

Commissioner Lanning said he agreed with the staff recommendation to undertake the *Revised Collaborative Approach* outlined in the attachment.

Vice President Simpson concurred. He said he embraced the collaborative approach and believed it was the best option to engage the community in the process.

President Menegat supported the recommendation. He averred that the Board had retained the control he felt was necessary to move forward with it. He thought the utility and Board would gain a good understanding of the value of the property from a master plan.

In response to a question from President Menegat, Mr. Oberle explained that the MOU set a direction for the process but it did not bind the City Council to a specific end plan.

Commissioner Brown asked how Item 1(g) of the *Revised Collaborative Approach*, which provided that the City Manager would declare interest or no interest in the property after the Board declared the property's availability would work. He noted that he had reviewed the city budget and the city was "in the red." He asked what assumption EWEB was making about the "signability" of their interest. Mr. Berggren replied that EWEB staff had not established what strategy the utility should take at that point. He believed that there would be substantial opportunity for the city to make clear its interest in exercising that option. He added that it was not clear whether the city wanted to pursue a purchase of the land for a municipal purpose.

Mr. Oberle said if the city would seek to purchase the property for significantly less than its market value because it was zoned to be public land then EWEB should look at bringing forward the municipal use zoning.

Commissioner Brown suggested they start thinking in terms of the properties that were already encumbered, such as those that were already open space.

Commissioner Farmer asked if the MOU would include a process schedule. Mr. Oberle responded that it did to the extent that EWEB wanted to have a starting point on how long they thought the process would take.

Commissioner Farmer said he wanted to be very clear that the City Council was not the deciding body in terms of the riverfront property.

In response to a question from Commissioner Farmer, Mr. Oberle affirmed that there would be open houses hosted by EWEB staff and that City Councilors and staff would be invited. He said this would provide formal opportunities for input.

Mr. Berggren assured Commissioner Farmer that it would be clear that EWEB was hosting the open houses.

Commissioner Lanning asked if staff had an educated guess of how the city would react to the proposal. No one could hazard a guess. Mr. Oberle related that in his preliminary discussions with staff there seemed to be general acceptance of taking this direction but no details had been determined.

Commissioner Lanning observed that if the intent of the City Council was to take a collaborative community approach, this is what EWEB was proposing. He averred that EWEB should “just go forward” with its true intent. He said if the City Council’s actions match what they were saying then the proposal would meet their needs.

Commissioner Farmer asked if there was an estimate of the timeline. Mr. Oberle responded that he had held off until there were more discussions with the city. He related that he had discussed this with Rick Satre and he estimated that it could be a 24 to 30 month process.

In response to a question from President Menegat, Mr. Berggren said his assumption was that the portion of the draft referring to the advisory team process would be elaborated upon. He commented that everything added to the MOU would make it more difficult to get it done.

President Menegat asked what some of the process milestones would be. Mr. Oberle replied that getting the MOU signed would be one and gaining acceptance of the conceptual plan would be another. He also listed getting a draft completed, the final plan completed, approval of the plan, and completing each of the land use actions as other milestones.

Commissioner Brown asked what would happen if for some reason EWEB became tied up in one portion of the process and it went beyond the statutory requirement for possible sale to the city.

Commissioner Farmer remarked that any good document would contain some “weasel language.”

Commissioner Lanning stated that the Board had discussed this a number of times and had received consistent feedback that it needed more input. He stressed that the Board was listening to the input all along. He said if the City Council were not truly respecting the rights of EWEB he would call it out. He hoped that what councilors had said at the last joint meeting was really how they wanted the process to be. He said if that was the case, it was consistent with community feedback and would help to move the process forward. He wanted the planning process to give EWEB the best opportunity for success. He added that he also wished to compliment staff for putting the draft together.

Commissioner Farmer concurred. He believed that the Board needed to be prepared to be firm. He asked if the Board needed an emailed consensus on the agenda for the joint meeting of the City Council and Board scheduled for May 30. Mr. Berggren responded that staff needed to generate the agenda. He reiterated that the utility's goal was to hold a collaborative master planning process. He said staff would have a draft document for the Board to review prior to the joint meeting.

Commissioner Farmer observed that there was no Board support for a "city-go-it-alone" process. He said he did not want to sit for an hour in a joint meeting and debate that idea.

Mr. Berggren said his assumption was that if they move forward in a collaborative effort there would be majority support for it on the council.

Commissioner Lanning recommended that EWEB staff be clear with city staff. He said if the city was not serious about having a collaborative process it would become apparent.

Commissioner Farmer did not want to "sit there" and have someone dominate a meeting for an hour pushing his or her own agenda.

Commissioner Brown stressed the importance of communicating that the land use process should be done without the thought of someone having an option on the land. He said what they needed was a collaborative community-based approach that would be the best option for the community.

Commissioner Brown moved to direct staff to engage the City of Eugene Staff in discussion regarding the Revised Collaborative Approach to the Master Planning Process as set forth in the memorandum dated *May 8, 2007* entitled ***Riverfront Master Planning Project – Proposed Process Option***. Commissioner Farmer provided the second. The motion passed unanimously, 5:0.

ADJOURNMENT

President Menegat adjourned the meeting at 6:18 p.m.

Assistant Secretary

President