



Main Street Safety Project Governance Team Meeting

Meeting Minutes

July 30, 2019 – 2:30 to 4:00 pm

Springfield City Hall, Jesse Maine Room, 225 5th Street, Springfield

Attendance

Staff/Consultant: Emma Newman, Kelly Clarke, Jennifer Zankowski, Tom Schwetz, Dawn Williams, John Bosket, Jeanne Lawson, Tom Boyatt, Michael Liebler, Loralyn Spiro, Brian Barnett, Molly Markarian

Governance Team: Mayor Christine Lundberg, Councilor Marilee Woodrow, Kate Reid, Steven Yett, Frannie Brindle, Mary Bridget Smith, Aurora Jackson

CALL TO ORDER. Meeting was called to order at 2:30 p.m.

Welcome/Introductions

Introductions were made.

Agenda and Purpose

Jeanne Lawson stated that the fundamental purpose of the meeting is to bring everyone up to date on what has been happening on Main Street. Staff will present the data on the future no-build but before that there will be an update on community engagement and the schedule. They will talk about the economic study that was done (the literature review), and the evaluation framework. The two things that the Governance Team will be asked for is their specific endorsement of the Key Principles and Methodology for Access Management, and then the Transit Study.

Mayor Lundberg stated that she would like to add dispute resolution discussion to the agenda.

Jeanne Lawson stated that Steven Yett has his question ready for when they get to the economic review. Mayor Lundberg asked where that question fit in with the agenda. Jeanne Lawson stated that they were chatting before the meeting and Steve was looking at the report on the Literature Review for the economic study and had a question that Molly Markarian felt was a good one for the whole group to hear. The Business and Property Owner Literature Review would be the appropriate agenda section to address the question.

Jeanne Lawson asked if everyone had received the meeting summary from the last meeting and asked if there were any comments. No comments were given.

Molly Markarian stated as a refresher, the purpose of the Main Street Safety Project is to select infrastructure solutions that will make Main Street safer for people walking, biking, driving and taking transit. The project area runs from 20th to 72nd along Main Street. They are currently in the summer of 2019 on the timeline, and the technical team has started to develop solutions and they will move towards evaluating those solutions this fall. Earlier this spring, City staff presented updates on the project to a number of community groups. They received some great questions and those questions formed the basis for the Frequently Asked Questions (FAQ) fact sheet that the Governance Team members have in front of them. She stated that the FAQ fact sheet covers the project community engagement since the Governance Team last met in March. This fall the project team will begin community engagement efforts with the draft alternative solutions.

Molly Markarian handed it over to John Bosket to go over the future no build item.

John Bosket stated that he hoped they were familiar with the existing conditions report, where the project team went out and evaluated what is going on in the corridor today regarding congestion and safety. The future no build projected forward, in this case to 2040. They want to know, if we don't change anything, what it will look like by 2040. He stated that they looked at a lot of the same performance measures (congestion and safety performance). This is important to give them a baseline so that they can compare the amount of improvement that they get from any of the alternative solutions going forward.

For some background when it comes to the amount of traffic on Main Street, by the year 2040 it is projected to increase by 20-30%. What that means for congestion in the corridor, four of the signalized intersections are forecasted to exceed mobility standards. Those intersections are 28th, 42nd, Bob Straub and 58th. He went on to say that his understanding is that the City is currently working with ODOT to amend the mobility standards for 42nd and Bob Straub. Bob Straub in particular will be very congested. On the delay and travel time side, eastbound intersection delay is expected to double by 2040. He explained that a lot of this analysis is done during the weekday PM peak period, so eastbound is the main flow direction during that time. Westbound is not affected quite as badly during the PM peak. The approach delays in the eastbound direction now go up 30%, and the westbound direction is more like 7%. This will have an impact on any motor vehicle traveling down the corridor, freight or transit. From a pedestrian standpoint it will not get better, and it was deemed to be a high stress environment from the assessment that was made under existing conditions. For people riding bikes, today it is deemed to be a high stress environment and that will still be true in 2040 if they don't change anything. He added that for people walking and biking they have to cross a lot of unsignalized intersections that aren't RRFB-controlled and a lot of driveways.

John Bosket stated that from a safety standpoint, going back to what we assessed, during the time period from when the crash data was obtained from 2012-2016 there were 653 crashes in the corridor. This is about 1 1/3 crashes every week over that five-year period. From a crash severity standpoint,

more than half of those resulted in some kind of injury. Going out to the year 2040 the number of crashes is projected to increase by about 19 additional crashes every year, which is about a 19% increase overall. He presented a slide on the breakdown of the 19 crashes annually. Most of them are multiple vehicle crashes.

Jeanne Lawson clarified that this was not 19 crashes total per year, this is 19 additional crashes each year.

John Bosket continued and stated that driveways and intersections (unsignalized or signalized) are a significant factor in safety in this corridor because there are a lot of them. There is an average of about 75 access points per mile. For comparison, ODOT has access standards which are about 10 per mile. There has been quite a bit of research done on the correlation between crashes and access density and it was found that crash risk increases by about 4% for every access point above 10 per mile. He stated that they would probably never get to the 10 access points per mile on Main Street, but striving towards it or at least improving the condition every year or as development occurs can certainly make a big improvement in that. Councilor Woodrow asked how they would decrease towards the 10 access points. John Bosket responded that it takes time because they can't go out and make dramatic changes when you have existing development. Sometimes it can be done through redevelopment of property. But there are some properties that may have three driveways currently but could probably just have two. So, if you have properties redeveloping that is an opportunity to work with that developer, look at their site plan and hopefully come to an agreement. But in all of the opportunities that they have looked at some sort of median treatment is involved and that will go a long way in reducing a lot of those conflicts.

Councilor Woodrow asked if a median would change the number of access points? Are they considering an access point being accessed from both directions of traffic?

John Bosket responded that if your assumption is that every access point you will have cars turning left and right, by adding a median where it converts all of those to right turns in and right turns out. You're not reducing the number of access points but reducing the number of conflicts.

Steven Yett asked between roundabouts, median and right turn only whether any one of those has been shown to more significantly reduce crashes?

John Bosket responded that medians and roundabouts result in significant safety improvements. Having roundabouts at major intersections greatly improves safety just due to the change in the interaction between the vehicles. In between the major intersections is where the medians can really show pretty significant benefits. He has seen a lot of research on this and the general rule of thumb on the level of crash reduction one can expect from these treatments and it is something like 35% of crashes in a corridor can be reduced just through a median treatment.

Steven Yett asked if we didn't have a median but we instituted right turn only what might happen?

John Bosket stated that could be done but the violation rate tends to be high so there isn't much of a safety improvement.

Steven Yett asked if the violation rate is just so high it negates the value of stating it?

John Bosket confirmed that is correct.

Steven Yett asked if instead of having constant medians throughout the corridor and it is more of a staggered median where there is right turn only at key points, like shopping centers so the violation rate can be brought down because they can't go across but in other spots there can be some cross traffic, will that help or not be that valuable?

John Bosket stated when they talk about a median treatment on Main Street they are not proposing a continuous median where no one can turn left anywhere. The proposed approach is to find a balance and use median treatments and then figure out how many breaks are needed to balance out the overall accessibility along the corridor.

Jeanne Lawson pointed out that in some of the public information materials that they have put together thus far specifically mentions medians with strategic breaks - acknowledging that this won't be a median from one end to the other with no breaks.

Steven Yett clarified that he is asking for two reasons; one is that he has been approached by several folks on Main Street who have asked him about this project because they are nervous, and then he has a personal interest because he has several properties along Main Street and one of them has three curb cuts in one block. He stated that he is a violator of access density best practices but noted he inherited that. He added that it sounds like it is a combination of trying to figure out the best approach. The business owners who approach him are very uneasy about any sort of median. A median for them is like kryptonite. He is trying to get an idea of how the City and ODOT can reasonably sell this, both to the people that have approached him but also how he can sell it to his tenants because he is going to have the exact same job that some of his friends that own property up and down Main Street are going to have. That is, they are going to have to tell a tenant that the condition of the roadway when you leased the space is going to change. They have to sell that with facts like the crash rates will improve.

Jeanne Lawson stated that she thinks that the business and property owner economic impact study, the literature review, is a better place to talk about that but it is certainly our hope and expectation that they all will be approached by folks with concerns and that we keep them up to speed enough that they have enough of an understanding that they can at least direct people and infuse some good basic information.

Mayor Lundberg stated that she doesn't want to be driven by this process. It needs to be driven by what we want in Springfield, what the businesses want along the corridor and it fits the community. She stated she finds Central Point to be a great example because they are on a State highway with a median and some areas don't have sidewalks, just a curb. If someone is on a bicycle they are going to ride on the inside as much as the outside because there is nothing there stopping them from doing that. It's handled business by business, block by block. She is just hoping that the project team takes that to heart, that every block is different, that every business is different. One of the City's engineers has stated that there isn't a reason why there can't be flexibility in design along the corridor. She stated

that she would like the project team to look at access density and for instance if they examine a block and there are ten ways to get in and out of it maybe and they don't need that many. There will be a need for signage since people are looking for businesses. If there are two or three ways into a business and they pass it and then there is a median, customers are less likely to stop. She stated that she knows this is how it works, people stop because they see businesses the first time pull in but if they miss it they just figure they will come back later and then they don't. She stated that she wanted to go back to the bicycles off the street period idea - cut down the space and the pedestrians and the bicycles can learn to get along like they do in Europe.

Jeanne Lawson stated that they were not covering the alternatives today but they will make sure the team takes that to heart about really looking at the situation. Additionally, this is a facility plan so it is not going to have a specific design.

Kate Reid stated that John Bosket mentioned lowering LOS standards at the intersection at 42nd. She asked if 42nd Street treatment would be any less than other intersections?

John Bosket responded that he would not think so. Usually when that is done it is because a level of congestion is projected and ODOT and the City have looked at ways to fix it and can't find a reasonable solution so they just agree to allow the additional congestion.

Mayor Lundberg asked if they lowered their LOS to a D?

Tom Boyatt responded for City streets that is their standard.

Mayor Lundberg stated that she remembered agreeing, and it might have been for Gateway.

Jeanne Lawson stated that since they have a pretty full agenda she would encourage moving to the literature review since she knows there will be questions on that.

Molly Markarian stated that they have some economists from EcoNorthwest on their project team and they reviewed available literature to help them understand the impacts of street changes on businesses and property owners. They focused on literature that reflects the best practices in research. She wanted to note that those kinds of studies are very difficult to conduct and are very expensive because they require looking at changes before and after there are changes in the street design. Or by having an experimental case and a control case. The economists found few studies that attempted to measure the economic impact of roadway improvements, but they did learn some things from the studies they were able to find.

Before they got into the literature they wanted to understand the business mix along Main Street. They drew two buffers along the corridor within a quarter mile and then within 500 feet - customers would access businesses within the 500-foot buffer right off their doorstep, whereas the ones within a quarter mile are being accessed off streets that intersect with Main Street. Referring to charts in the packet, they found that within a quarter mile of Main Street there are 418 businesses employing almost 4,000 people, which is 14% of the citywide total. Approximately 25% of those are retail or leisure type businesses. Within 500 feet of the corridor there are 282 businesses employing approximately 2,500

people, which is 9% of the citywide total. Molly Markarian referred to a diagram which is in the memo depicting how the economists view how street redesign investments affects the economic performance of a corridor, looking at how employees and customers access businesses and how changes to the street affects travel through a corridor and getting to sites along a corridor.

In looking at the report findings we learned from the studies businesses near roundabouts or median solutions typically perform the same or better than businesses where medians or roundabouts are not installed. However, even when sales data demonstrates that their performance has improved they often personally perceive that their customers and their employees have a hard time accessing them after medians are installed. Overall, from the literature review we see no clear indication that access management leads to decline in business performance. However, there is some evidence from the study that businesses in the mid-block locations are more susceptible to lower customer visitation rates, and businesses that rely heavily on pass-by traffic may be affected more by access restrictions. She noted that the report indicates construction impacts are generally the greatest impact on businesses but would happen regardless of the type of street improvement. The literature review looked not only at impacts in the short term but also long term to property owners looking at the resulting effects on land value. The general finding is that as access to the site is improved profits may go up, property owners may be able to lease for higher rates, and the property may become more valuable, but if access is restricted then the reverse may ultimately occur.

Jeanne Lawson stated that these were not good black and white answers.

Mayor Lundberg stated that this can be hard to decipher.

Jeanne Lawson stated that they do have a fact sheet but it is about to be finalized so that it is why it was not distributed to everyone. It focuses specifically on this information.

Frannie Brindle stated that the other thing with the literature review is there was a discussion about businesses and they were put into different categories. Like businesses that were drive by and businesses that were destination and she believes that does come into play and makes a difference of what the perceived impact a median treatment has.

Councilor Woodrow stated that in reaction to the medians was there a difference mentioned in if it was a solid median or not so solid?

Molly Markarian stated that she did not recall that being mentioned in the report. She knows there was a different reaction in roundabout versus medians and the perception of those treatments.

Jeanne Lawson asked if Steven Yett wanted to bring up his question in regards to the first sentence, last paragraph on page 27.

Steven Yett responded that on page 27 the memo references that with medians the businesses that are not end caps on a block may suffer more. He stated that there if there are 282 businesses between 20th and 70th Streets on Main Street he wondered what percentage of those are mid-block.

Mayor Lundberg stated that they should be able to get that information, if everyone has an address they should be able to tell if they are an end cap.

Molly Markarian stated that she was unsure how the report defines mid-block. If there is a standard definition then they could likely calculate the number of businesses who meet that definition.

Steven Yett stated that was a good point. They need to get that definition and then understand how they are applying it. He stated that at 21st and Main there is the Paramount Shopping Center, Hutch's on the corner, which has been there since 1973, they are clearly an end cap. But there is Busy Bee Café which is mid-block. He went on to state that the owners of that have approached him in a panic when they heard about LTD doing anything to Main Street and now this has just added to their angst. Hutch's has stated that they don't care because they are an end cap. Every business from 2104 to 2150, which is about 10 businesses, are very nervous.

Councilor Woodrow stated that they could really be limiting what is considered an end cap, because if you are at 42nd, that entire center could be considered an end cap.

Jeanne Lawson stated that she doesn't know the blocks, so she clarified that they were saying that because there is access at the corner that accesses all the properties.

Councilor Woodrow responded that it is a strip mall with access on both streets.

Mayor Lundberg stated that this just emphasizes what she was saying, if they look at the entire corridor block by block, each one of them has characteristics that make it work or not. She stated that when they started this a long time ago it was the flashing yellow lights. She added that she has visited her share of these businesses and she guarantees that they will call her to say something to. So, let's just establish that they are going to treat the situation block by block so people have the opportunity to have a sense of their own block and what they can or can't do.

Frannie Brindle stated that ODOT has more recently been looking at work that has been done around the nation and has more tools for Complete Street ideas. They are looking at economic impacts to businesses and how to help pedestrians cross the street safely to access businesses. She went on to state that she thinks they have to overlay where pedestrian origins and destinations are because no one wants to see pedestrians killed. The other thing about medians is the road will be more closed in which will slow traffic down and help people see businesses.

Jeanne Lawson stated that they are about to dive into the evaluation framework and she was going to start by referring to the goals and objectives that they worked on the last time, but we want to make sure to get to the access management discussion. She stated that one of the issues they have brought up is that people want answers but they are not going to get clear answers for a specific property. Dealing with this block by block happens in the design phase, but the facility plan will begin to give them a framework for how things might be done when they get to that. She asked if there were anymore questions about the literature review.

There were no additional questions.

Jeanne Lawson stated that the evaluation framework is really important because it shows how they took the values the community said were important and translated them into goals and objectives which then drive the criteria that will be used to measure how the alternatives perform according to the values the community said were important. The goals and objectives are reflected in the table in front of them. She reminded them that the Purpose Statement is basically their fatal flaw, the first part of the evaluation framework. If an alternative does not improve safety then it is out because it is not accomplishing the purpose of the study. The criteria are the next step, so the technical team looked at the goals and objectives and identified ways to measure them. She stated that they will notice that some of the objectives have more criteria than others, but that doesn't mean that one is more important than the other there may just be more quantifiable ways to measure it. They will be bringing something more like a Consumer Reports style of evaluation to the Governance Team next time so they can look through it and see the things that are important to them and how well the various alternatives rate. She asked if they all had a chance to look through the criteria and if there were any questions.

There were no questions.

Jeanne Lawson stated that the thing about the facility plan, when they do get alternatives it will be compilations of different approaches to different pieces that can be mixed and matched. That is what the technical team will be doing by putting together an evaluation of those.

John Bosket stated that they were shifting to Senate Bill 408, discussion of Key Principles and Methodology for Access Management. That really all comes from fairly new requirements from Senate Bill 408. What it did is clarify the process for ODOT when they are making decisions that affect access on state highways. The key ways he has seen it change is that there is more of an opportunity for local government and property owners to engage in the process and it makes sure the decisions that are being made are consistent with local planning documents. It also outlines the processes for doing a facility plan and project delivery. The project team's end goal at this time is to get an adopted facility plan then when funds become available the City and ODOT will be able to implement, transitioning to the project delivery process at that time.

Mayor Lundberg asked if there was another way to put that, she'll give a different example; for people in mobile home parks there is a process for park owners thinking about selling and then there is a closure notice. The City has put together paperwork explaining this. She stated that she understands the term "facility plan" but some don't, so she asked the project team to explain it in a simple way what they are doing.

Jeanne Lawson stated that she thinks that is what they tried to do with the fact sheet that introduces the study.

Molly Markarian clarified that is not the fact sheet in front of them now.

Jeanne Lawson stated that it is also on the website but she stated that they do struggle with this. Trying to make everything that they do clear. This is not design and it is not tomorrow.

John Bosket stated that more than likely through the facility plan process they are not going to know things like how many driveways a business may lose. They're identifying the decision-making criteria to be used later on.

Frannie Brindle asked how much of this has to do with making sure that people understand what the problem is? If they don't see that safety is an issue then it doesn't seem to matter what they say after that.

Mayor Lundberg stated that they would lose people from the beginning if they can't convey that.

Jeanne Lawson stated that they don't have that on the agenda today but she did say that at the SAC it is a constant struggle. There are at least two members who challenge there is a safety problem and no amount of data will make that go away.

Councilor Woodrow stated that something that was really important eight years ago when they were putting the first pedestrian crossings in is to say this is what the community asked for and the property owners understood we were being honest with them.

Frannie Brindle added that the thing about statistics is that it doesn't seem to matter; on 126 between Eugene and Florence they had a safety committee and what got everyone was that everyone knew someone that had died on that corridor. So, stuff like that might be better at getting to the hearts and minds and the perception rather than the statistics.

Jeanne Lawson stated that this is all good but they still have to finish the agenda and they are running out of time.

Mayor Lundberg stated that the Council has with ODOT a decision-making responsibility to the community and they have chosen to make Main Street safer. The statistics are not going to be the argument; it is going to be that they have asked the community and the Council as a decision-making body has decided to make Main Street safer.

Molly Markarian stated that she felt that was an important point, the values from what they heard from the community is really what has driven the goals and objectives which is what leads into the Key Principles. This is what they will be sharing with the property owners as the decision-making criteria for future access management decisions. The Key Principles are the goals which come from the values, so explaining that is really a critical piece.

John Bosket stated that the regulations are very clear that ODOT needs to include the economic development objectives of the adjacent property owners in their decision-making. The project team thought the easiest way to do that given the project goals already covered those items would be to use the goals for the Key Principles as they seemed to fit the topics required for consideration. The Methodology are the decision-making criteria that would be used in the future when there is a project to be designed and constructed. When you go into the project delivery stage and you have an engineering design team, they go through that criteria with every driveway.

Jeanne Lawson stated that this Methodology would be mailed out to the property owners in the middle of August giving people the opportunity to provide feedback.

Kate Reid asked how it would be presented to the property owners?

Molly Markarian stated that they have a letter and two attachments that explain the process that they have gone through to arrive at the Draft Key Principles and Methodology for Access Management. We are trying to make it as user friendly as possible in presenting the information.

Mayor Lundberg stated that they started all of this with LTD and they are a huge partner but there is a Dispute Review Board and she wanted to relook at that since she noticed there were people on it from the U of O and other entities. It is the Council at the end of the day that receives the calls, and the people on that committee need to be connected to the project.

Molly Markarian stated that it is the legislation and the Oregon Administrative Rules that have dictated the categories of participants for the committees associated with the Senate Bill 408 regulations. She added that the participants were identified in the Community Engagement Plan that was created for the project and approved by the Planning Commission in 2018.

Mayor Lundberg stated that she thought that would be the answer, and she will call her legislators to let them know that the process is very complicated.

Molly Markarian stated that Councilor Woodrow would sit on the Dispute Review Board for the City.

Mayor Lundberg asked if there is a way to change the other participants?

Molly Markarian clarified that there are two types of review committees through this process for the review of the Key Principles and Methodology for Access Management. For Collaborative Discussions the legislation requires certain participants and for the Dispute Review Board there are other participants. The Dispute Review Board is required to have the ODOT director, a City representative, which would be Councilor Woodrow in this case, an independent professional traffic engineer, and a representative from the business sector, which in this case will be the Community Outreach Director from the University of Oregon and the Regional Development Officer for Business Oregon.

Mayor Lundberg asked if this was in the Administrative Rules?

Molly Markarian stated that the categories are in the Administrative Rules, the actual participants were determined through the process to develop the project's Community Engagement Plan.

Jeanne Lawson stated one thing to think about when you have something about dispute resolution it can't be a group like the Governance Team because this group has been intricately involved in the decision-making and there has to be some neutrality. She can understand why it is set up that way.

Mayor Lundberg noted that at the end of the day the decision-makers are still going to be the City Council with ODOT. Senate Bill 408 came about because ODOT was making decisions on ingress and

gress without a fair process but now we have a process that does not reflect how disputes are resolved at the local level.

Frannie Brindle stated that the fact that Region 2 Manager from ODOT is on the Dispute Review Board, along with Councilor Woodrow from the City that is good.

Councilor Woodrow stated that her concern is having a dispute resolution process with participants who are not connected in any way to the City or ODOT.

Jeanne Lawson stated that is precisely the point. When she first saw this process, her reaction was good they at least have people that have been involved and can bring some understanding of what the process has been.

Mayor Lundberg stated that she foresees legal action in the future.

Tom Boyatt asked for confirmation that the Key Principles and Methodology for Access Management would be the only subject of possible dispute resolution?

Molly Markarian responded yes.

Tom Boyatt asked if once those are settled then what?

Molly Markarian stated that that when the project goes into design and construction the Key Principles and Methodology for Access Management are mailed again to the property owners and they can be disputed again at that time with a different set of people on a different Dispute Review Board because that is part of the legislation focused on project delivery.

Mayor Lundberg reiterated her thoughts on legal action.

Tom Boyatt asked for confirmation that at both stages the possible dispute resolution would be about the Key Principles and Methodology for Access Management but not a dispute about who makes decisions and how they are made.

Molly Markarian confirmed.

Jeanne Lawson stated the City Council is still a decision-maker.

Mayor Lundberg stated that she understands the decision-making role of the City Council in this context but wishes to express her frustration with the added layers from the Senate Bill 408 requirements.

Molly Markarian asked if the Governance Team is ok with the Draft Key Principles and Methodology for Access Management so the project team can send the mailer to property owners.

Jeanne Lawson added that given all they have discussed, are they good with it?

Everyone was good.

Moving onto the next agenda item, Kate Reid stated that based on all of the community engagement the Main-McVay Transit Study has done on Main Street, the project team recommends removing EmX as a solution for this corridor to really align it with the goals of the safety project. She added that the Enhance Corridor mode would maintain the alignment that currently exists for Route 11. Additional stability will come with consistent frequent service on the corridor via the Transit Tomorrow system development plan. Right now, service is 10 min to 15 min but by September 2020 it will be consistent throughout the corridor.

Mayor Lundberg asked if there was a possibility of bus pull-outs?

Kate Reid responded that LTD can look at it on a block by block basis and see if there are opportunities for the dedicated lane or the pull out for the stops.

Mayor Lundberg clarified that if there are any complaints about the busses it is to make sure vehicles are in the left lane so they don't get stuck.

Kate Reid stated that they can definitely look at it when they are looking at the Locally Preferred Solutions and reiterated LTD's flexibility and desire to focus on safety.

Jeanne Lawson stated that the action the project team is asking of this group is to do they agree with recommendation from the Main-McVay Transit Study project team? Last meeting, they talked about this and stated that they would be acting at this meeting.

All agreed.

Jeanne Lawson stated Molly Markarian would be sending out a Doodle Poll to help schedule the next meeting which will happen between November 14th and December 6th. Please respond because it is very hard to pull this group together and it is very hard to reschedule. That meeting is on the project's critical path and the team will be covering the preliminary alternatives that will then be shared with the community.

Frannie Brindle stated that with Mayor Lundberg's discomfort with the Dispute Review Board she thinks they should revisit it really quickly. Maybe what could be outlined for the public and the Council is how that process will work for the Planning Phase and how it would interact with the Council.

Mayor Lundberg stated that the goal is to not have anyone killed on Main Street. Springfield is very good at getting things done without getting to dispute resolution, so she'd like to have it figured out before it gets to the point that there has to be a dispute resolution situation.

Jeanne Lawson stated that they work on a lot of projects around the state, and Senate Bill 408 has been applicable for a lot of those projects, but there has been no level of attention to it on the other projects like it has on this project and that is because it is the first facility plan process with the requirements. She added that dispute resolution occurs on other projects and it doesn't mean it was a good process or a bad process, it means there is a contingent that is willing to go all the way to battle something that

they don't want to have happen. Her impression is that may exist on Main Street and the project team needs to be ready for that to possibly happen here.

Mayor Lundberg asked who has indicated that might happen as nobody has told her that.

Tom Boyatt stated that if they go back to what Steven Yett said that there are people who are concerned and several who are very vocal about it so they as much have said they will fight this every step of the way. Dispute resolution was added to the process by Senate Bill 408 so that people who want to fight something have a voice. So, it makes room for them to be in opposition of something at the earliest step in the process and it also allows the process to resolve that dispute.

Mayor Lundberg stated that if you go all the way back to Beltline/I-5, how many times we saw someone at a meeting stating they were going fight it like that. To her it is just that Springfield is very good at being able to figure it out sitting down with somebody and just figuring it out. That is why that great big tree is along Pioneer Parkway, it's why part of it has a planter strip and part of it doesn't, we just figure it out. She would hope that we do not need dispute resolution for Main Street.

Jeanne Lawson clarified that NEPA is very expensive for a citizen to fight and this is not which makes it easier. Jeanne Lawson stated that she doesn't want the City to feel like if somebody does pursue dispute resolution that it is a failure. It is really a matter of citizens using the tools they have to fight for what they believe they have to fight for.

Mayor Lundberg stated that she is still going to end up with those citizens in her office. She is going to have that many more people lined up asking what happened that could not be resolved. She understands Senate Bill 408 and it had a good purpose. She then asked Steven Yett since he owns property along the corridor if there is, for instance, a torch-carrying group that is going to want to burn down City Hall because they hate the City that much.

Steven Yett responded that he didn't think anyone would torch City Hall but he does think there are some folks who have deep pockets, and as Tom says, are concerned, and for them to write a heavy check is not a big issue if they want to stand on principle.

Mayor Lundberg stated that the City will still figure it out. She added that PeaceHealth ended up with two fewer floors because someone had deep pockets and didn't want to look over two more floors of a hospital.

Kate Reid noted that Senate Bill 408 didn't go into effect until 2013 and so it did not apply when the West Eugene EmX project was being planned. The interesting thing is that in looking at the Moving Ahead project this will be something that City of Eugene encounters so it will be interesting to see what happens.

Mayor Lundberg stated that it was set up specifically to give people a voice.

Frannie Brindle clarified that the Senate Bill 408 process did apply during the Design and Construction of EmX on West 11th and a bus stop was relocated through a dispute process.

Molly Markarian added that with the Senate Bill 408 requirements, getting to yes on Main Street will require extra effort on the part of the City and extra resources provided by the City. We need to follow the SB 408 requirements given that Main Street is an ODOT facility, but if the Governance Team wishes that the process be conducted according to the Springfield way the City will have to put in extra effort with the property and business owners.

Mayor Lundberg said that is what she is asking for us to do it the way we always do it, figuring it out one way or another until it gets resolved. If someone is going to sue us, they're going to sue us.

Jeanne Lawson stated that they don't have to have a lawyer involved to go through the dispute resolution process. Basically, they bring their complaint and you have a group that decides if it is legitimate and whether the Key Principles and Methodology for Access Management should be revised.

Adjourned.

DRAFT