

MINUTES

Mayor's Sustainable Business Initiative Task Force
Hilyard Center—2850 Hilyard Street
Eugene, Oregon

January 24, 2006
1:30 p.m.

PRESENT: Dave Funk, Rusty Rexius, co-chairs; Lisa Arkin, Josh Bruce, Julie Daniel, Lynn Feekin, Kartar Khalsa, Mike Miksas, Deb Noble, Scott Pope, Randy Ross, Claire Syrett, Claudia Villegas, members; Mayor Kitty Piercy; Bob Doppelt, Sara Mazzie, Ray Neff, University of Oregon, Institute for a Sustainable Environment; Lou A. Christian, Doug McClaury, Dennis Caster, Building Trades Council; Susan Muir, Eugene Planning and Development Department; Bob Cassidy, Charles Biggs, Jerry Thompson, Bruce Mulligan, guests.

ABSENT: Roger Ebbage, Terry McDonald, Jack Roberts, members.

1. Welcome and Introductions

Mr. Funk called the meeting of the Sustainable Business Initiative (SBI) Task Force to order and welcomed those present. Task force members introduced themselves.

2. Approval of Minutes of November 15 and December 15, 2005

Mr. Kartar noted that he was incorrectly listed as absent in the December meeting minutes.

Mr. Kartar, seconded by Ms. Miksas, moved to approve the minutes of November 15 and December 15, 2005. The motion passed unanimously.

3. Items from Task Force Members

Mr. Doppelt reviewed the update, included in the meeting packet.

Responding to a question from Ms. Feekin about other marketing efforts related to the upcoming town hall meeting, Mr. Funk reported that public relations and marketing professionals were working to contact media and interested parties, and were doing public service announcements.

Mr. Doppelt said that he, the co-chairs, and mayor had discussed an ongoing public involvement effort that allowed for continuous public involvement. That, he suggested, could be a focus of the retreat planned for later in the year.

Mr. Doppelt called attention to the upcoming meeting schedule, saying the March meeting would be cancelled but the task force would meet on April 4. He said the Ms. Mazzie was working on an integrated document of the process so far for the task force's review.

Mr. Doppelt encouraged the task force members to attend the upcoming town hall meeting on February 6 as members were expected to facilitate discussions at individual tables.

4. Start of “Dream” and “Design” Phases and April Retreat

Mr. Funk said the task force was ending the “Discovery” phase of its work and entering into the next phase of the process, the “Dream” and “Design” phases. He anticipated the task force would first identify optimal situations and then work back to what could be achieved. He suggested the task force hold a full-day retreat to start that work at a location to be determined in April, with a half-day retreat as follow-up. The task force tentatively scheduled a full-day retreat on April 20 from 9 a.m. to 5 p.m. and a follow-up half-day on April 25 from 1 to 5 p.m. Mayor Piercy asked that absent members be informed of the retreat dates.

5. Update from Indicators Subcommittee

Ms. Feekin distributed a document entitled “Social Equity Indicators,” which was developed by the subcommittee. She anticipated a fuller discussion at a later meeting. She thanked Ms. Arkin and Ms. Noble, the other members of the subcommittee.

Ms. Feekin called the task force’s attention to the eleven indicators listed in two categories, Workplace Social Indicators and Community Social Indicators. She then called attention to matrixes on pages 2 and 3 of the document, which listed the indicators and three levels demonstrating values associated with the indicators; for example, Level 1 for wages in the matrix of workplace indicators had two values, a progressive wage schedule and median wage equal to the average state wage for a particular industry. Ms. Feekin suggested that not all businesses might be able to meet all the values but it was likely that all could meet some.

Mr. Kartar commended the work done by the subcommittee. He requested a summary in electronic form for distribution.

Mr. Ross asked if the terms used in the matrix had been defined by the subcommittee. Ms. Feekin said the subcommittee believed it had a good understanding of some of the terms but not others. She encouraged the task force to identify terms it thought needed further definition.

Ms. Noble thanked Ms. Feekin for her leadership.

Mr. Doppelt indicated he would schedule time on an upcoming agenda for more discussion. He suggested the task force consider a similar approach to the development of environmental indicators. Ms. Arkin and Mr. Thompson volunteered to serve on a subcommittee, and Mr. Doppelt was encouraged to solicit additional membership from the Technical Advisory Committee. Mr. Kartar encouraged the future subcommittee to maintain the format used by the Social Indicators Subcommittee.

6. Presentation of Precautionary Principle

Ms. Arkin introduced Jerald Blumenfeld, Director of the San Francisco Department of the Environment, who joined the task force via telephone hook-up. Mr. Blumenfeld shared information about his department, which was one of the few such municipal departments, and noted its oversight by a seven-member committee that set policy and served as the voice of the public.

Mr. Blumenfeld discussed San Francisco's cautionary principle, saying that the community had decided on the principle after a long public process, and had married that work to its codes. His position was to work with the business and advocacy community groups for the greatest success. He said the precautionary principle was not meant to be a block to business or development, but was a way to involve the public early in decisions affecting the environment and proposed the use of scientifically rigorous process identify the best alternatives.

Mr. Blumenfeld said that San Francisco first applied the principle to purchasing under the assumption that it could move the market with the correct criteria. He cited the purchasing of municipal poles as an example, saying that there were health concerns about the sealants used on such poles. San Francisco brought together different pole manufacturers and discovered that there were several different kinds of poles available, some more sustainable than others. In addition, small companies that had never been invited to such gatherings were included and were happy to be involved. He cited nontoxic toilet bowl cleaners as another example of a product where the City had sought a nontoxic alternative and reduced its workers compensation claims in that area by 60 percent while stimulating growth in the industry.

Mr. Funk asked if San Francisco had experienced any opposition from the business community to its adoption of the principle. Mr. Blumenfeld said there was considerable opposition because no cities had defined what the principle meant to them. Some precautionary principles were so open-ended they alarmed even him. He said some opposition came from businesses who wanted an opportunity to study the legislation. Business representatives came to the public meetings but did not comment. When the draft was done the city took it to the chamber of commerce and requested input, but only minor suggestions were offered because the document represented consensus. The fear of business was that the principle would stop projects, but they found that it was a process for decision-making as opposed to an impediment. The principle allowed all alternatives to be laid out on the table for evaluation. It may not be possible to select the best alternative because of money or time, but at least it was looked at. Mr. Blumenfeld added that when the business community understood the principle could save them time and open up opportunities for participation, businesses became involved.

Ms. Syrett asked what happened if the city sought an alternative but the needed product was not available. Mr. Blumenfeld said that occurred all the time. He characterized the principle as the process of discovery. He said that sometimes alternatives existed but they were too expensive, such as biodiesel fuels. He said that the city was a waiver provision for such cases. In some cases, the city went directly to industry seeking alternatives. He cited low-mercury lightbulbs as an example of a situation where the city contacted a manufacturer who expressed interest in entering that market.

Mr. Bruce asked if the principle cost more to implement or if its implementation was accomplished through existing budgets. Mr. Blumenfeld said that because all city purchasing was done centrally, the principle had not added to department budgets. He said the department has secured grant funds to do additional work and was creating a regional network to work on product specifications to bring prices down.

Mr. Funk thanked Mr. Blumenfeld for his presentation and encouraged the submittal of additional questions to him via Ms. Arkin.

7. City of Eugene Land Use and Code Changes

Ms. Muir joined the task force and called attention to the summary of planning in Eugene that had been provided to members. She said that Eugene's planning efforts predated the State's and Eugene had a reputation as a progressive community in regard to planning.

Ms. Muir reviewed the Chapter 9 amendment process and noted the recent completion of a series of minor code amendments that followed the adoption of the Land Use Code Update in 2001. A matrix of those amendments was provided to members.

Ms. Muir noted the City's development of a guiding set of principles for amending the Zoning Code, which was done with the input of the Mayor's Economic Development Committee. Responding to a question from Mr. Doppelt, Ms. Muir confirmed that the guiding principles were developed by staff and reviewed by the mayor's committee and the Planning Commission.

Responding to a question from Ms. Arkin, Ms. Muir said the Building Code and Land Use Code were different codes but interrelated; staff teams from both the Planning and Building and Permit Services divisions worked together with the public on implementing those codes. She noted that the codes included both local and State requirements.

Mr. Funk asked how code amendments were initiated. Ms. Muir responded that the City Council initiated amendments. Staff kept a list of issues for the council to consider and went to the council to seek changes to the code. She noted that the council had directed staff to go to the public seeking amendment proposals. Ms. Muir said that in some communities, a citizen could pay a fee to initiate an amendment.

Ms. Syrett asked about the division's relationship to the Lane Transit District (LTD) and transit issues. Ms. Muir said the two agency's policy bodies had periodic joint meetings and City staff worked closely with LTD staff on projects such as the Walnut Street Station.

Responding to a question from Mr. Funk, Ms. Muir said that if the task force recommended to the council that the City's solar ordinance be modified and the council accepted the recommendation, those modifications would be implemented by the Planning Division. Mayor Piercy encouraged the task force to get staff input before making any recommendations to modify the ordinance.

Mr. Miksas noted that the City's Green Buildings Task Force was looking at modifications to the ordinance, which could be made in the form of an adjustment process rather than code changes. Ms. Muir added that the commission and council had discussed an alternative path approach in which a developer or builder essentially presented a plan to the City that met the City's objectives without necessarily meeting the code's requirements. The City was looking to a more flexible, site-specific code.

Ms. Daniel asked why there was no requirement for recycling in multi-family developments. She suggested that it made sense for the City to require sufficient space be dedicated to that purpose. She asked how that change could be initiated. Ms. Muir invited her to call the division and talk to staff.

Mr. Doppelt asked how people could suggest additions or amendments to the code. Ms. Muir said that the Planning Commission had regular public input opportunities. She indicated that she would provide Mr. Doppelt with a copy of the guiding principles. Any suggestions made now would likely be considered in the next round of code amendments. Responding to a question from Mr. Funk, Ms. Muir said that she believed some proposals related to solar were being considered, but the list of amendments was not available yet. She said that it was likely the City would solicit the task force's input as interested parties. She indicated she would check to see if solar-related amendments were on the list.

Ms. Arkin asked if any work was being done on design standards. Ms. Muir said the issue comes up quite a bit. She thought the alternative path would include some elements of that. She said that the

recent Chambers Reconsidered Project had started some discussion of infill standards. She said there was some resistance to design standards in Eugene.

8. SBI Task Force Meeting with Building Trades Council

The task force met with Lou A. Christian, Doug McClaury, and Dennis Caster of the Building Trades Council. Mr. Funk provided a brief overview of the SBI effort, saying that the meeting with the Buildings Trades Council was a part of the task force's "Discovery" phase.

Mr. Christian said the council was a group of organized labor unions that works on issues of mutual importance. The council works to promote programs for industry. He said that most crafts have their own apprentice programs run through the State. There were also local apprentice programs. Mr. Christian said the sheet metal and fitters have local training centers. He said the trades follow the economy; when the economy slows, the trades travel. The economy moves in cycles, so the trades attempted to maintain a pool of labor to build in times of need and to maintain the infrastructure.

Mr. Christian called the task force's attention to the "Build Oregon Responsibly" packet distributed to members, which included a mission statement and a partnership agreement form for Build Oregon Responsibly. Mr. Caster urged the task force to read the mission statement. He suggested that Build Oregon Responsibly would ensure that people received the "best bang for their buck."

Mr. McClaury thanked the task force for inviting the representatives of the council to attend the meeting, and said the work of the indicators subcommittee addressed many of the issues that Build Oregon Responsibly attempted to address. He explained that the document was put together in response to the question of what it meant to be a responsible contractor, given there was no definition in State statute. He emphasized the importance of training to a sustainable industry and said the lack of a trained work force was a major complaint heard by the council. The council frequently heard complaints about untrained contractors doing jobs on the cheap.

Mr. McClaury said that some businesses will present themselves as sustainable but their workers live off the community. He defined sustainable as hiring local employees and paying a living wage with benefits so that employees could give back to the community.

Mr. Caster noted the extensive education done by the industry through many training centers and his own background as an instructor in photovoltaics installation.

Mr. Caster noted the change in State bidding law to stipulate the successful bidder would be the "lowest responsible bidder." He reported that the council in partnership with the State and nonunion shops had hired an investigator to look into licensing complaints for nonlicensed bidders.

Mr. Doppelt asked if Build Oregon Responsibly was a voluntary effort. Mr. McClaury said that it was voluntary, and the council was hoping that local entities and government agencies would adopt all the elements of the partnership agreement. He said that a responsible contractor would serve and sustain the community whether they were union or not.

Mayor Piercy encouraged the council representatives to review the work of the indicators subcommittee and provide feedback to the task force.

Mr. Miksas asked how one would determine if a contractor was responsible. Mr. Caster said that anyone who was proud of what they do could give a potential customer a list of satisfied customers.

Mr. Miksas asked if the council had a list of responsible contractors. Mr. McClaury believed the council could develop a list using the appropriate criteria.

Responding to a question from Ms. Feekin, Mr. Caster said that work force development was a challenge. The training centers train students about the latest technology and information because industry must keep pace with what was going on, as well as those techniques mandated by law.

Mayor Piercy thought it would be useful to have a list of contractors who fit a list of sustainability criteria, as well as a list of those who did not. Mr. Funk recommended that such a list be kept positive.

Mr. Christian described how the apprentice programs currently operated and emphasized the ability of trainees to branch off into specialties and their exposure to new technologies. In addition, extensive journeyman training was mandated. He said locally there were 400 members, 30 apprentices, and a \$4 million training center. It was hard to get in but he noted that fewer and fewer people were entering the trades as a profession.

Mr. Kartar asked what could be done to improve the work force. Mr. Christian indicated a lack of math skills among those who qualify for the training center, and said that the center could refer those individuals to Lane Community College for remedial education.

Ms. Noble noted the high cost of housing locally and asked if people hired nonunion employees to reduce the cost. Mr. Christian said that union shops depend on their reliability to compete, and if they could not work smarter, better, and with fewer people, they could not compete. Ms. Noble said her concern about affordable housing was related to her desire that Eugene not turn into a gentrified community. Mr. Caster acknowledged the high cost of housing and the difficulty many residents experienced finding affordable housing. He said that many people had to have more than one minimum wage job to afford a house.

Mr. Doppelt suggested the potential of linking the council's training efforts to sustainability and asked how that conversation could be started. He referred to the Build Oregon Responsibly partnership agreement and asked if the council had recommended the City adopt it for the contractors it hired or to give point preferences to those contractors who signed the agreement. Mr. McClaury said the council's goal was to have the agreement adopted by any public or private entity with anything to do with building. He believed that the public sector would have to agree to incorporate the agreement in its bid documents before the private sector would do so.

Mr. Rexius said the issues of concern to the council were not just union issues. His business was nonunion but paid good wages, and it was frequently outbid by low-wage businesses. He said that businesses needed to take care of the people in the community.

Mr. Funk solicited comment from the observers.

- The Santa Clara school was demolished and its parts recycled—the historic aspects of the building, such as the bricks and cornerstones, were lost to the community. Think the sustainability of the historic context should be considered.

Mr. Doppelt solicited task force feedback on the work of staff and asked that the feedback be provided to Mr. Rexius or Mr. Funk.

Mr. Funk adjourned the meeting of the task force at 3:30 p.m.

(Recorded by Kimberly Young)