

- Eugene City Council Ward 2 candidates **Betty Taylor and Juan Carlos Valle** will be at a candidate's forum hosted by the Friendly Area Neighbors at 7 pm Thursday, Oct. 25, at Washington Park Center, 2025 Washington St.

- **Eugene Neighborhoods** Inc.'s annual meeting will be from 5 to 7 pm Thursday, Oct. 25, at Davis Restaurant, 94 W. Broadway. A panel of citizens will relate their experiences protecting neighborhoods against unwise commercial and residential developments and unwanted cell-towers, and lessons learned from working with attorneys specializing in Oregon's land use laws. Panelists will include Lisa Warnes, Merilee Eisen, April Hatcher, Camilla Bayliss, Paul Conte and Liam Sherlock. Happy hour and socializing at 5 with program at 5:30.

The next Emerald **F.E.A.S.T. dinner** will be from 6 to 8 pm Thursday, Oct. 25, at the First United Methodist Church, 1376 Olive St. in Eugene. See Biz Beat last week, visit [emeraldfeast.weebly.com](http://emeraldfeast.weebly.com) or call 520-6621.

- A **candidate forum** with Rep. Nancy Nathanson and her Republican challenger Mark Callahan will be at 7 pm Thursday, Oct. 25, at the Sheldon Community Center, 2445 Willakenzie Road. Sponsored by Northeast Neighbors, Harlow Neighbors and the Cal Young Neighborhood Association. A Cal Young general meeting will follow.

- **Ballot Measures 79 and 84**, prohibiting real estate transfer taxes and eliminating the inheritance tax, will be the topic at City Club of Eugene at noon Friday, Oct. 26, at the Eugene Hilton. Speakers will include Kevin Mannix and Jon Coney from Yes on 79 and speakers from Defend Oregon and Our Oregon.

- The OSU Extension Service is offering a **free composting workshop** at 10 am Saturday, Oct. 27, at the Transition Garden, 905 Flamingo St. in Springfield. Call 344-1265 for more information.

- Canvassing for **Rep. Val Hoyle** will begin with a gathering at 9:30 am Saturday, Oct. 27, and 12:30 pm Sunday, Oct. 28, at Peterson Barn in Bethel. To RSVP email [volunteer@valhoyle.com](mailto:volunteer@valhoyle.com) or call 905-1468.

- Canvassing for **Betty Taylor** is now happening Saturdays with an 11 am gathering time at the Democratic Party of Lane County Office, 228 E.11th Ave. Call 484-5099 or 914-5603. Democratic campaigns are also being supported by the new Organizing for America (OFA) field office at 115 W 6th Ave. Eugene. Call 525-9387 for information on voter outreach and canvassing.

- Canvassing for **John Lively** in the open House District 12 race will begin at 1 pm Sunday, Oct. 28, at Lively Park, 6100 Thurston Road in Springfield.

- The film **13 Days** will be shown free at 6 pm Sunday, Oct. 28, at the EWEB community room, 500 East 4th Ave. The film is a re-enactment of the Cuban Missile Crisis of October 1962. "Part of the film's dialogue is based on secret taping of Oval Office conversations that President Kennedy made, including of the generals who wanted war instead of the compromise that defused the crisis," says Mark Robinowiz who is sponsoring the showing. See [www.oilempire.us](http://www.oilempire.us)

- An urban design workshop on the **South Willamette Concept Plan** will be from 6 to 8 pm Tuesday, Oct. 30, at the Hilyard Center, 2580 Hilyard St. Email [patricia.thomas@ci.eugene.or.us](mailto:patricia.thomas@ci.eugene.or.us) to get on the mailing list.

- An **EWEB public hearing** on proposed 2013 rate hikes will be at 7:30 pm Tuesday, Nov. 6, at the EWEB Board Room. A final public hearing and vote is scheduled for Dec. 4. More information and written testimony can be made by email through the EWEB website.

# NEWS

## CAPSTONE LOSES 12TH AVE APPEAL

Capstone's student housing project not yet under construction at 13th and Olive has hit a legal snag, losing an Oct. 11 Land Use Board of Appeals (LUBA) ruling to neighborhood advocate Paul Conte on the city's vacation (termination of public right to use the street) of West 12th Avenue between Olive and Willamette.

The LUBA decision says that the city committed a procedural error because it accepted Capstone's revised application for the vacation "without providing a reasonable opportunity for parties to submit responsive evidence," which violates the right of the public to give testimony regarding vacation decisions. Capstone had to revise the application after the public record was closed because an adjacent property owner wanted to retain public right of way to a portion of the alley adjacent to his business.

Conte says he's fighting decisions made around the Capstone project because the rushed process has unfairly tilted in favor of developers at the expense of the community. "It was also just one more example of the city manager directing staff to do whatever it takes to prevent any community involvement that might force Capstone to play by the rules if that would slow down the project," he says.

In addition to the 12th Avenue vacation appeal, Conte is appealing the Multiple-Unit Property Tax Exemption that City Council granted Capstone to the state Court of Appeals. He is also appealing before LUBA to challenge the traffic impact analysis that Capstone submitted due its lack of analysis on the impact on bikes and pedestrians.

Conte says, "Since the mayor and council seem to be encouraging the city manager to do Capstone's bidding, I'm resigned to hoping the courts and LUBA step in to protect the integrity of the local public processes, as LUBA did in this case."

The city's attorney did not return our call by press time. — *Shannon Finnell*

## FEE WAIVER FOR EXCLUSION ZONE RECORDS DENIED

With the next City Council decision on the downtown exclusion zone — which allows banning people from the downtown core prior to conviction of a crime — a year away, civil liberties activists already seeking the data they need to fight the zone. But on Oct. 17, Eugene Police Department records manager Joan Quaempts denied the Civil Liberties Defense Center (CLDC) request for a public records fee waiver for documents related to past exclusions, quoting a \$2,284 fee for the records. *EW* was a party in the request.

Quaempts wrote in the decision that the fee waiver request was significantly different from an earlier request, when EPD granted a \$22 waiver. "Whether the City Council should vote to extend the downtown exclusion zone was a matter of significant public interest; on Oct. 8 the City Council voted on the issue."

Occupy liaison Jean Stacey says the fact that the next vote is a year off doesn't make the data less of a public interest. "The public interest has not died, and it will not die until the [exclusion] zone has been eliminated. There is still a very deep public interest."

In addition, Quaempts wrote, "Prior to releasing the responsive records to you, the city must review all of the documents for confidential and exempt information and make any necessary redactions." Redacting Social Security reports and drivers licenses is necessary to comply with federal and state law. Quaempts also cited the need to redact confidential or exempt information in criminal background checks and number of contacts with the police.

Despite the need for redactions, Lauren Regan of the CLDC argues that because the records are of vital importance to the public, the fee is an unreasonable barrier to them. "It is unfortunate the city and EPD have attempted to stall and preclude the public from reviewing the facts and data regarding the highly controversial exclusion zone," Regan writes in an email to *EW*. "One is left wondering what they are trying to hide. Clearly these community groups have a right to inspect and review this public information, and charging excessive fees for public records with the hope of preventing public access to that information is unconscionable. We will appeal this decision with the goal of protecting the community's right to access public records."

Mayor Kitty Piercy says that she is awaiting an explanation of the situation from city attorney Glenn Klein. — *Shannon Finnell*

## COAL VOTES CONTINUE — OR NOT

Oregon is facing the prospect of coal trains rumbling through the state bringing coal, and coal dust and increased diesel fumes, thanks to several proposals for coal export terminals along the coast and Columbia River. Gov. John Kitzhaber and Sen. Jeff Merkley have requested an extensive federal environmental review of the effects of exporting coal to Asia, having it burned there and blowing back to the Northwest. Local governments have attempted to weigh in on the coal issue as well.

The Board of Lane County Commissioners decided Oct. 17 that it would not vote on a controversial resolution to support the Coos Bay Bulk Terminal and its coal export proposal, "Project Mainstay," while the Eugene City Council voted Oct. 21 to oppose shipping coal through Eugene. The City Council's resolution supports the request for a comprehensive federal review, and it directs city attorneys to research if state and federal public health and safety laws could be used to prevent coal being transported through the city.

After the board decided not to vote on its coal resolution, which would have in effect supported the coal terminal, Commissioner Rob Handy proposed the board work on a resolution that, like the city's, would call for a review of the effects of coal. Handy says the original county resolution was "so heavily weighted to coal and the port that our other aspirations and values didn't get in."

Handy says that he wants more detail on the impacts to workers who handle coal up and down the line and the effects of mercury, lead and arsenic. He says the commissioners heard strongly from "folks all around the county" about their concerns over the effects of coal on air and on the waters of Oregon's rivers and territorial sea.

The commissioners heard public comment Oct. 16 and 17 in Florence and Eugene after originally scheduling to vote on the resolution Oct. 3 without asking for public input. Handy says the county's agenda committee, which includes board chair Sid Leiken and conservative vice chair Jay Bozievich, put together the agendas for board meetings. But he says he and fellow progressive Commissioner Pete Sorenson don't get information in advance and "are always asking questions about what's going on." Sorenson says that when the conservative majority took control of the board in 2010, they voted out a "good governance" ordinance that called for agendas to have detailed information.

The county's reasons for not getting the coal vote information out to the public include: reduced staffing, a sick staffer, a death in a staffer's family and that the county routinely votes on potentially controversial issues.

The board announced on Oct. 24 that starting Dec. 1, it will post agendas and materials a week in advance.

The board held off voting after Leiken said that he was told by the Port of Coos Bay that the "potential project" was "not moving forward at this time." When asked if the board's proposed vote in support of the resolution had been at the request of the port, Elise Hamner, spokesperson for the port, says she believes the county proposed its own resolution.

While the board voted 5-0 to look into Handy's resolution