



MEMORANDUM

TO: Eugene City Council and Interested Parties
FROM: Turner Odell and Tim Hicks, Oregon Consensus (OC)
SUBJECT: South Willamette Special Area Zone Assessment
DATE: January 19, 2016

The Oregon Consensus program at Portland State University has been asked by the City of Eugene to conduct an assessment related to concerns regarding the South Willamette Special Area Zone. We have received a number of inquiries and questions regarding the nature, scope, and intent of the assessment. This memo provides a summary of the assessment process for the benefit of City Council and other interested parties.

First of all, let us provide some information about Oregon Consensus. Oregon Consensus (OC) is the State of Oregon's program for public policy conflict resolution and collaborative governance. The program provides mediation and other collaborative services to public bodies and stakeholders throughout state. OC brings together communities, civic organizations, government entities, and businesses to find new approaches to public issues. OC conducts assessments and, where appropriate, designs and facilitates neutral and transparent collaborative processes that foster balanced participation and durable agreements. Our program is housed in the Hatfield School of Government at Portland State University. The University affiliation helps OC to provide the neutral forum needed for stakeholders to come together and engage in open collaborative dialogue.

The Assessment Process

In the current situation, OC has been asked to conduct an assessment related to the South Willamette Special Area Zone planning effort, and that will involve conducting interviews with many of the engaged parties. OC projects often benefit from the use of an assessment process to determine at the outset whether there is a good opportunity for collaboration and, if so, how best to proceed. To help understand whether a collaborative process might be helpful, it is often important to connect with key stakeholders and have some discussion about those parties' interests - not just their publicly stated positions on outcomes, but rather their underlying needs or concerns. OC then can (1) assess whether there is a meaningful opportunity for the parties to work collaboratively to find a solution that works for all interests and (2) determine an appropriate scope and design for the process. These discussions can also help stakeholders better understand the potential opportunities and challenges of using a collaborative process.

A number of questions have been raised about the assessment process, and we address those questions below:

Implications of Participation. Participating in an assessment interview does not, in and of itself, signify approval of a subsequent facilitated process or willingness to engage in such a process. Rather, the interviews are an opportunity for OC, as a neutral third party, to learn about the underlying interests of the stakeholders and to explore what they think might or might not be appropriate next steps. A collaborative process would be one potential path forward to explore with interviewees. A collaborative process has the best chance of success when all the parties believe it to be the best path forward and support the effort.

Funding and OC's "Client." Funding for this initial assessment is coming from two sources: (1) funds from the Oregon Department of Land Conservation and Development provided to OC to screen for potential collaborative governance opportunities and to help design and deliver collaborative processes related to land

use in Oregon and (2) general legislative funds for OC's programs and projects. It is important to note that OC, as a university-based center, does not typically have "clients" in the traditional sense of the word. In our facilitated processes (and in the assessments that may proceed those processes), OC works on behalf of the group as a whole to provide an impartial forum and level playing field for all the relevant stakeholders – citizen groups, government entities, private sector interests, etc. We refer to the various organizations that provide funding or other resources in support of the process as "sponsors" – and the ideal situation is one where many or all of the participating organizations help sponsor the project at some level (as their capacity allows). OC will never have an interest in the substantive outcome of any assessment or collaborative process, but we will advocate in support of *good process* – process that is transparent, inclusive, balanced, and well designed to address the relevant issues.

Scope of the Assessment. To conduct a meaningful assessment (and ultimately a meaningful process if one should follow), the assessment must engage a broad cross-section of interests that are involved in the issue. At a minimum, the assessment should seek to understand the interests of both (1) parties that would be affected by the resolution of the issue and (2) parties that could affect the resolution of the issue (either through their direct responsibility for a decision or through their access to an alternative forum for affecting the outcome – such as litigation). One of the goals of the assessment is to determine what would be the best scope for a collaborative process (if such a process seems useful) in terms of both issues and participants.

In this situation, there are several categories of interested stakeholders that may be important to engage during the assessment process including, for example:

- City-approved neighborhood organizations, including:
 - Friendly Area Neighbors
 - Southwest Hills Neighborhood Association
 - Southeast Neighbors
 - Amazon Neighborhood Association
- Other associations of area residents, including:
 - Council of South Eugene Neighborhoods
 - South Willamette Neighbors
- City of Eugene
 - City Council members
 - Planning Commission and/or planning staff
- South Willamette Street business interests
- Other engaged citizen organizations
 - E.g., affordable housing advocates, 1000 Friends of Oregon, and/or others
- Other engaged local government entities
 - E.g., Transportation Department and/or others
- Envision Eugene participants

All that said, the other determinant of scope for an assessment is available resources. In this situation, we have very limited resources available at this point in time and we will be limited to conducting somewhere between 10 and 15 interviews. We will strive to use available resources to access the full range of interests with a focus on hearing from residents and businesses in the affected area. We would expect to have some of the interviews be group interviews, where appropriate, in order to hear from as many voices as possible. If additional resources become available, we can consider expanding the number of interviews if that seems needed or helpful, but the resources currently available should allow the assessment team to get a good preliminary understanding of the issues, and the opportunities and challenges for any potential collaborative process.

Next Steps. In the coming weeks we will be developing an interview protocol (questions) and contacting individuals and organizations (including the leadership of the six neighborhood organizations listed above) to arrange interviews. We hope this memo provides answers to many questions, but we welcome stakeholders to contact us if they have additional questions or concerns.

We look forward to working with the community and will appreciate everyone's assistance in developing an understanding of the issues and interests involved in the South Willamette Special Area Zone.

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