



CITY OF MOUNTAIN VIEW

HUMAN RELATIONS COMMISSION

AGENDA

REGULAR MEETING - THURSDAY, OCTOBER 6, 2016
PLAZA CONFERENCE ROOM AT CITY HALL - 500 CASTRO STREET
6:30 P.M.

1. **CALL TO ORDER**

2. **ROLL CALL**—Commissioners Kevin Boer, Josette Langevine, Jim Neal, Evan Ortiz, Julie Solomon, Vice Chair Aila Malik, and Chair Lucas Ramirez.

3. **MINUTES APPROVAL**

Minutes for the September 1, 2016 meeting have been delivered to Commissioners and a copy posted on the City Hall bulletin board. If there are no corrections or additions, a motion is in order to approve these minutes.

4. **ORAL COMMUNICATIONS FROM THE PUBLIC**

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda. Speakers are limited to three minutes. State law prohibits the Commission from acting on nonagenda items.

5. **UNFINISHED BUSINESS**

5.1 **HUMAN RELATIONS COMMISSION DISCUSSION REGARDING HUMAN RIGHTS CITY FRAMEWORK**

- Priorities
- Policy review questions
- Implementation process

Action may be taken on this item.

5.2 **SUBCOMMITTEE APPOINTMENTS**

6. **NEW BUSINESS** – None.

7. **COMMISSION/STAFF COMMENTS, QUESTIONS, COMMISSION REPORTS**

No action will be taken on any questions raised by the Commission at this time.

8. **ADJOURNMENT**

The next meeting of the Human Relations Commission will be on Thursday, November 3, 2016 at 6:30 p.m.

CG/3/MGR

608-10-06-16A-E

AGENDAS FOR THE HUMAN RELATIONS COMMISSION

- The specific location of each meeting is noted on the notice and agenda for each meeting which is posted at least 72 hours in advance of the meeting. Special meetings may be called as necessary by the Commission Chair and noticed at least 24 hours in advance of the meeting.
- Questions and comments regarding the agenda may be directed to the City Manager's Office at 650-903-6301, or e-mail at: *city.mgr@mountainview.gov*.
- Interested persons may review the agenda and staff reports at the Mountain View Library (585 Franklin Street) beginning the Friday evening before each regular meeting and at the City Manager's and City Clerk's Offices, 500 Castro Street, Third Floor, beginning the Monday morning before each meeting. Staff reports are also available during each meeting.
- **SPECIAL NOTICE – Reference: Americans with Disabilities Act, 1990**
Anyone who is planning to attend a meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Manager's Office at 650-903-6301 48 hours in advance of the meeting to arrange for assistance. Upon request by a person with a disability, agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format.
- The Commission may take action on any matter noticed herein in any manner deemed appropriate by the Commission. Their consideration of the matters noticed herein is not limited by the recommendations indicated herein.
- **SPECIAL NOTICE**—Any writings or documents provided to a majority of the Human Relations Commission regarding any item on this agenda will be made available for public inspection in the City Manager's Office, located at 500 Castro Street, during normal business hours and at the meeting location noted on the agenda during the meeting.

ADDRESSING THE BOARD, COMMISSION, OR COMMITTEE

- Interested persons are entitled to speak on any item on the agenda and should make their interest known to the Chair.
- Anyone wishing to address the Commission on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.



CITY OF MOUNTAIN VIEW

HUMAN RELATIONS COMMISSION

MINUTES

REGULAR MEETING - THURSDAY, SEPTEMBER 1, 2016
PLAZA CONFERENCE ROOM AT CITY HALL - 500 CASTRO STREET
6:30 P.M.

1. **CALL TO ORDER**

The meeting was called to order at 6:30 p.m. with Chair Ramirez presiding.

2. **ROLL CALL**

Present: Commissioners Kevin Boer, Josette Langevine, Evan Ortiz, Vice Chair Aila Malik (arrived at 6:48 p.m.), and Chair Lucas Ramirez.

Absent: Commissioner Jim Neal.

One vacancy.

3. **MINUTES APPROVAL**

Motion – M/S Boer/Ortiz – Carried 4-0-2; Malik, Neal absent – Minutes for the June 23, 2016 Special Meeting were approved without modification.

4. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Assistant City Manager Audrey Seymour Ramberg announced staffing changes in the City Manager's Office, stating her role as the new staff liaison to the Human Relations Commission (HRC), and introducing Christina Gilmore, Acting Assistant to the City Manager, who will work with her to provide staff support to the HRC.

5. **UNFINISHED BUSINESS** – None.

6. NEW BUSINESS

6.1 DISCUSSION OF A CIVILITY ROUNDTABLE FOR FISCAL YEAR 2016-17

Staff provided an update on the proposed HRC Fiscal Year 2016-17 Work Plan, agendaized for Council review and approval on September 6, 2016. The work plan identifies one Civility Roundtable (CRT) event scheduled for the fiscal year. Due to the advance planning required for the Multicultural Festival, staff recommends that the Commission consider planning a CRT to be held in January or February 2017.

Commissioner Boer raised immigration as a potential topic for the CRT.

After discussion, Chair Ramirez recommended that this item be continued to the October meeting under Unfinished Business to allow further discussion with the entire Commission regarding availability to serve on a subcommittee to lead the CRT planning.

6.2 PRELIMINARY DISCUSSION OF NEEDS, RESOURCES, AND NETWORKS FOR LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER OR QUESTIONING, AND INTERSEX (LGBTQI) RESIDENTS

Commissioner Malik presented an oral report with the recommendation that a subcommittee be formed to assess the needs of the LGBTQI community in Mountain View.

Three comments were received:

- Mr. Ross spoke in support for forming an LGBTQI subcommittee.
- Ms. Libelo suggested that the HRC consider LGBTQI as a topic for the CRT, with exercises to build empathy and awareness on the topic in the Mountain View community. In regard to immigration as a future CRT topic, Ms. Libelo noted that the United States Citizenship and Immigration Services has updated its website to make applying for citizenship easier.
- Ms. Casey expressed her appreciation to the HRC for their consideration of forming a subcommittee to focus attention on the needs of the LGBTQI community.

After dialogue and discussion, the Commission voted.

Motion – M/S Malik/Ortiz – Carried 5-0-1; Neal absent – Create a subcommittee of the HRC to assess the needs, resources, and City practices to better engage the LGBTQI population in Mountain View.

Item 6.1 was reopened for discussion.

Motion – M/S Langevine/Malik – Carried 4-0-2; Neal, Boer absent – To plan a CRT regarding the needs and resources related to the LGBTQI community in Mountain View.

7. COMMISSION/STAFF COMMENTS, QUESTIONS, COMMISSION REPORTS

Reported that Commission work plans will be reviewed and adopted by the City Council at the September 6 Council meeting.

The Annual Celebration of Service event will be held on Monday, September 26, at 6:00 p.m. at Michaels at Shoreline.

Interviews to fill the current HRC vacancy will be held on September 7.

The Multicultural Festival is tentatively scheduled to be held on May 27, 2017.

Commissioner Ortiz reported that a follow-up meeting to discuss the proposed Human Rights City designation has been scheduled with the Santa Clara University Law School.

Commissioner Malik reported that the City of Santa Clara will be launching a Challenge Team, based on the Mountain View model, which brings educators, nonprofits, and others together to discuss youth issues.

8. ADJOURNMENT

Meeting adjourned at 7:28 p.m.

**MEMORANDUM**

City Manager's Office

DATE: October 6, 2016

TO: Human Relations Commission

FROM: Audrey Seymour Ramberg, Assistant City Manager

SUBJECT: Human Rights City Framework Discussion

BACKGROUND

At its April 7, 2016 Human Relations Commission (HRC) meeting, the HRC received an oral update from the Santa Clara University School of Law International Human Rights Clinic (IHRC) student attorneys on Best Practices for becoming a Human Rights City. After receiving the update, the HRC affirmed a recommendation to the City Council to adopt a Human Rights City Resolution as an important, if largely symbolic, first step in the commitment to the principle of human rights. The Commission further proposed that the Council consider adoption of a human rights assessment framework based on the City of Eugene, Oregon's Triple Bottom Line short form, which would be further developed to use in some way to help guide the City's policy analysis and decision making.

Additional work by the IHRC student attorneys and staff regarding the process for implementation was noted as needed in advance of consideration by the Council in the fall.

DISCUSSION

On September 20, the HRC's Human Rights Subcommittee (Commissioners Boer and Ortiz) and staff met with Professor Francisco Rivera and two student attorneys from the IHRC to discuss the additional information needed in order to provide the City Council with an understanding of the implications of adopting a Human Rights City Resolution (referring in particular to the questions raised by Council during the July 7, 2015 joint session with the HRC as reported in the September 3, 2015 HRC staff report). During the course of the meeting, it was determined that additional HRC discussion was needed to develop an assessment framework specific to the City of Mountain View and to address the following questions to more fully inform Council consideration of adopting a Human Rights City Resolution:

- What human rights priority or priorities are most important to the City of Mountain View?
- What policy review questions would the City use to assess the impacts on or achievement of these priorities?
- How have other local governments implemented a human rights policy review process?

Human Rights Priority or Priorities

At its April 7, 2016 meeting, the student attorneys suggested possible Human Rights priorities (affordable housing, wage gap, and the elderly) and also summarized the priorities of other local governments who are using human rights assessment tools. These include gender equity, wage gap, racial equality, children's rights, affordable housing, education, social justice, environmental health, social equity, and economic impacts. The HRC discussed potential policy priority areas, and liked the Eugene Triple Bottom Line tool, which focuses on environmental health, social equity, and economic impacts, as a general approach to policy analysis and an example of possible human rights priorities. However, the Commission did not discuss in depth or adopt a specific recommendation to Council regarding the most important human rights issues in Mountain View.

It would be good for the Commission to review the list of possibilities that have been discussed and determine which priority or priorities it would like to propose to the City Council, as this was a question raised by the Council during the July 2015 joint Study Session. Considerations in determining priorities could include:

- An understanding of Mountain View community needs and values;
- Sufficient definition such that the achievement of the priority could be clearly assessed and understood; and
- Sufficient focus such that it would be feasible for the City to analyze impacts on or achievement of the priority within the constraints of staff resources and reasonable policy/program decision-making time frames.

Policy Review Questions

To help gain sufficient definition for any given human rights priority, it would be useful to identify the policy review questions that would be used to assess impacts on the priority. The Eugene Triple Bottom Line tool provides these questions for that community's priority areas. Similar questions will be needed for the priority(ies) proposed by the HRC.

Implementation Process

The student attorneys have clarified that adopting a Human Rights Resolution does not create an enforceable, legal obligation for the City to provide or guarantee a given right. They have shared that the way a local government operationalizes a Human Rights designation varies from city to city and is particular to the circumstances and preferences of each entity. They note that the process for reviewing the human rights implications of a given policy decision could be as involved or as limited as the City wishes it to be, ranging from a brief subjective assessment of the likelihood or nature of an impact of some kind to a data-driven process that measures against established standards.

The Commission has expressed that it does not wish to dictate a staff process or create an extensive new program for implementing a human rights policy framework, recognizing City resource limitations and the need for flexibility. However, some additional information about the key elements or options for how a human rights framework would be put into practice would be helpful so that Council can understand the implications for what staff and other resources are required and for the timing and approach to the policy-making process as a whole.

In the discussion with Professor Rivera and the students on September 20, staff expressed an interest in learning more about how some of the local governments who have adopted a human rights policy framework went about it. What staff is involved? How were they trained? What analysis do they conduct? How is this analysis included in the decision-making process? How do they address disagreement if constituents come forward with different perspectives or conclusions about staff's findings? While staff has experience with other types of impact analysis (e.g., fiscal or environmental impact), these analyses tend to relate to objective, measurable impacts that are in the context of extensive, adopted policy guidelines such as City budgets and State environmental law. While staff believes that the City currently does a good job of taking into account community needs and values and assessing the potential for various types of impacts when bringing forward any course of action, it would be a new process

to have an explicit analysis of human rights. Consequently, it would be helpful to learn from the experience of other local governments.

NEXT STEPS

The Subcommittee and staff asked the IHRC student attorneys to provide additional information to assist the HRC in their discussion of these three topics at its October 6, 2016 regular HRC meeting. For the purpose of illustration, the students were asked to focus on two possible human rights priorities—housing and children’s rights—to provide an example of specific policy review questions and specific practices for how this framework has been used by other local governments. Information from the student attorneys will be presented during the October meeting. In addition, a summary of the group’s prior research is included as Attachments 1 through 3 to this memorandum.

It is recommended that the HRC review and discuss the information and considerations herein and develop recommendations that the Council may consider at a future meeting.

ASR/CG/3/MGR

608-10-06-16M-E

- Attachments:
1. April 15, 2016 Memorandum—Outcome of Human Rights Cities
 2. FAQ Regarding Becoming a Human Rights City
 3. Examples of Cities Using Human Rights Assessment Tools Locally
 4. Mountain View Priority Analysis Tool
 5. Memorandum—City of Eugene—September 24, 2012

MEMORANDUM

To: Human Relations Commission, City of Mountain View

From: IHRC Santa Clara University Law Students

Re: Some Outcomes of Human Rights Cities

Date: April 15, 2016

For the most part, human rights cities use human rights assessment tools that are focused on the process of making decisions; they do not necessarily lead to concrete outcomes. **However, the following cities have seen definitely seen some positive outcomes:**

1. Richmond, California became the third U.S. Human Rights City in 2009. Since then, the City established a Human Rights Commission and has experienced positive effects as a result. This resolution in Richmond led to the development of new curriculum for police cadets in Human Rights Education and we see an outcome of that is a decrease in violent crimes and police violence. In 2013, Richmond had 16 murders—the lowest number in 33 years—and far fewer unsolved homicide cases than in previous years. Gun use by the Richmond Police Department itself is way down. Despite making thousands of arrests and confiscating one gun or more every day in the city, the Richmond Police Department has averaged less than one officer-involved shooting per year since implementation in 2009.¹
2. **San Francisco, California** became a Human Rights City (City for CEDAW) in 1998. Since becoming a CEDAW city the City and County of San Francisco has experienced the lowest number of domestic violence homicides in history. One of the major issues necessitating a CEDAW ordinance in San Francisco was violence against women and girls. Gender analysis of law enforcement agencies showed that there was a lack of emergency personnel who were equipped to respond to domestic violence incidents in Chinese and Spanish - two major language groups in San Francisco. In response, the city trained 150 personnel in basic Chinese and Spanish phrases for responding to domestic violence, and partnered with local foundations to provide cell phones on crime scenes that could access 170 different languages. This, along with the development of proper police codes for violence against women, the establishment of a Family Violence Council and an anti-violence grants program in which the Department on the Status of Women

¹<http://www.yesmagazine.org/peace-justice/police-violence-is-not-inevitable-four-ways-a-california-police-chief-connected-cops-with-communities>

distributes grants to community-based programs, led to **44 consecutive months without a single domestic violence homicide** in 2011-2014.²

3. **King County, Washington** became a human rights city as part of its commitment to promote equality and community involvement in county practices. The Executive Services department of **King County, WA** has developed new compensation policies to assure fairness and equal opportunity in the county's hiring practices. The new policies require hiring units to ensure internal pay equity among salaries paid to employees working in the same job classification within King County. Research shows that women and persons of color do not request as high starting salaries as their white male counterparts, thus perpetuating biases by race and gender. The King County Sheriff's Office (KCSO) is cultivating a more diverse candidate pool for its employees. KCSO is also amending the Civil Service to allow for a 10 percent boost to those who can speak a second language.³

²<http://www.wandactioncenter.org/2016/02/04/cities-for-cedaw-effective-locally-driven-change-for-women-and-girls/>

³<http://www.kingcounty.gov/elected/executive/equity-social-justice/~//media/E0F8D7012D5C4CBA9D15B9542338FEF8.ashx>

FAQ re: Becoming a Human Rights City

**What is the benefit or value of becoming a Human Rights City?
Can the goal be achieved in other ways (i.e. through public service)?**

1) A Human Rights City resolution will guide city policies and institutionalize a human rights framework.

Public service and volunteer work should definitely be encouraged, but such activities by private citizens should not substitute the adoption of a human rights framework that guides official city policies. The human rights framework helps institutionalize an official bottom line that ensures no member of the community is discriminated against or left behind. By declaring itself a human rights city, Mountain View can inform its citizens about the basic principles they are following when deciding to implement policy/programs. Additionally, a human rights framework would help the city proactively identify potential problem areas and prevent future complications, such as lawsuits. The framework would enhance the city's responsiveness to community concerns. This approach makes the government actions more visible to the community.

2) By adopting a Human Rights City resolution, Mountain View will be connected to a nationwide network of resources and opportunities to share best practices.¹

Making Mountain View a Human Rights City provides an opportunity to collaborate with other Human Rights Cities and discuss best practices. Human Rights Cities meet on a regular basis in conferences throughout the nation to discuss ways to address local problems through a human rights lens. Mountain View can share its own best practices and discuss the steps it took to become one of the first cities in the U.S. to ensure its citizens a living wage.

3) A Human Rights City resolution enhances the city's reputation.

Mountain View would get recognized for its leadership on issues like raising the minimum wage, addressing homelessness and affordable housing, and protecting the environment. This is Silicon Valley; we are known for innovation. By becoming a Human Rights City, Mountain View would be joining a growing movement in which you would have a unique opportunity to innovate and lead, for example, by partnering with the private sector to improve the quality of lives in your community.

¹ See e.g. <http://www.humanrightscity.com/history.html>

Would becoming a Human Rights City create any new obligations for the U.S. under international law?

No. A local non-binding resolution does not create any new obligations for the U.S., nor does it conflict with existing domestic or local law.² The U.S. Constitution already recognizes international treaties to be the “supreme law of the land,” and the U.S. has ratified several international human rights treaties like the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention Against Torture. These, and other international human rights norms, are already part of our law. A local Human Rights City resolution would only be an expression of local support for these basic human rights principles that would guide local policy.

What is the process of becoming a human rights city? What does it look like?

There is not one right single way to become a Human Rights City.³

Mountain View can decide which process fits best to become a Human Rights City. Some cities have passed binding ordinances, while other cities have adopted resolutions.

One possible way to become a Human Rights City would be as follows:

1. Adopt resolution
2. Define priority areas
3. Define desired outcomes (what do you want to accomplish?)
4. Develop an assessment tool to ensure that policy initiatives promote the desired goal and do not have a negative effect on the enjoyment of basic human rights. Each city department would be responsible for using the tool when deciding whether to implement proposed policy.
5. Establish a point person within each city department that ensures implementation of the tool.
6. Implement policy based on outcomes of assessment tool.
7. Each department reports to the Human Relations Commission, who then reports to the City Council on an annual basis.

² <https://www.asil.org/insights/volume/2/issue/5/international-agreements-and-us-law>

³ <https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/Bringing%20Human%20Rights%20Home.pdf>

What are we agreeing to do when declaring Mountain View a Human Rights City?

By becoming a Human Rights City, Mountain View would essentially agree to do two things: (1) not adopt policies or practices that would have a negative effect on the enjoyment of basic human rights in the community (this is a negative obligation), and (2) adopt policies and practices that would have a positive effect on the enjoyment of basic human rights in the community (this is a positive obligation). For example, if Mountain View decides that a living wage is a human right, then the city should not take measures aimed at weakening this right, but should take progressive measures to strengthen it. If Mountain View considers affordable housing to be a human right, then it should adopt measures aimed at providing more affordable housing.

The way Mountain View would ensure it meet its own human rights standards is by developing some sort of action plan or assessment tool. Such plans or tools would communicate to city officials in all departments know the city's human rights priorities and establish a mechanism to analyze the positive or negative impacts a proposed initiative would have on those human rights priorities. Implementing a Human Rights Assessment tool or a human right action plan, ensures that human rights, especially the one's Mountain View wants to focus on, are being considered with every decision made in the city in a long-term perspective.

What are the financial implications of becoming a Human Rights City? Isn't this expensive?

Becoming a Human Rights City does not have to be expensive. The resolution itself merely provides guiding principles for all city departments. The implementation tools can be drafted to require as little or as many resources as the city wants. There is no affirmative obligation to invest a particular amount of money every year - this entirely depends on the emphasis of the city. Mountain View is free to decide the issue areas on which to focus, what programs to implement, and on the monitoring mechanisms.⁴

Don't cities only declare themselves "Human Rights Cities" after they have done something terribly wrong?

No. Cities have different reasons for becoming Human Rights Cities.⁵ Although some may use a tragic event as a springboard to address previously existing problems, others

⁴ <http://www.pdhre.org/projects/hrcommun.html>

⁵ <http://pgh-humanrightscity.wikispaces.com/file/view/The+Human+Rights+Cities+Movement+Introduction.pdf>

use the human rights framework to develop proactive policies that will actually prevent violations before they occur.⁶

Does becoming a human rights city divide the community in different branches because of the many groups that are being identified (i.e. women, children, homeless) instead of bringing people together?

The opposite is true. **Human Rights Cities ensure that people are not discriminated against for any reason.** A Human Rights City resolution tells the community that discrimination in any form will not be tolerated.

⁶ <http://www.afsc.org/story/pittsburgh-declared-5th-human-rights-city-us>;
<http://www.pdhre.org/projects/hrcommun.html>; <http://www.humanrightscity.com/>;
<http://richmondconfidential.org/2009/12/01/richmond-becomes-human-rights-city/>

EXAMPLES OF CITIES USING HUMAN RIGHTS ASSESSMENT TOOLS LOCALLY					
Human Rights Cities and Counties	San Francisco, CA	King County, WA	Seattle, WA	Santa Clara County, CA	Eugene, OR
Human Rights Priorities	Gender Equity Wage Gap	Racial Equality Children's Rights Affordable Housing Education	Racial Equality Social Justice	Gender Equity	Environmental Health Social Equity Economic Impacts
Source of Law	CEDAW Ordinance	Equity and Social Justice Ordinance	UDHR Resolution	CEDAW Ordinance (proposed)	UDHR Resolution
Human Rights Assessment Tool	Gender Analysis Guidelines	Equity Impact Review Tool	Racial Equity Tool	Gender Analysis Guidelines	Triple Bottom Line Tool
Implementing Body	Commission on the Status of Women	Civil Rights Commission	City Department	County Government (TBD)	Human Rights Commission
<p><u>DEVELOPING MOUNTAIN VIEW'S OWN HUMAN RIGHTS ASSESSMENT TOOL:</u> As a Human Rights City, Mountain View can develop its own human rights assessment tool to focus on its priority areas, including: affordable housing, wage gap, and the elderly.</p>					

Mountain View Priority Analysis Tool

Proposal:	Impact on Children: How would this proposal affect children in our community and our ability to effectively address children’s needs? How would the proposal affect children’s access to services?	Impact on Seniors: How would this proposal affect seniors and our ability to effectively address seniors’ specific concerns?	Impact on Housing Affordability & Displacement: How would this proposal affect the affordability of housing in our community? How would this proposal affect housing displacement in our community?	Impact on Gender Equity: How would this proposal ensure women have equal access to social goods, services and resources, and equal opportunities in all spheres of life in the community? How would this proposal affect equal pay in our community?	Notes: Is special leadership required? Have the organizational impacts and connections been considered?
(Text describing the proposal)	(Text describing the positive, neutral, and negative impacts of proposal on this issue/population) + 0 <	(Text describing the positive, neutral, and negative impacts of proposal on this issue/population) + 0 <	(Text describing the positive, neutral, and negative impacts of proposal on this issue/population) + 0 <	(Text describing the positive, neutral, and negative impacts of proposal on this issue/population) + 0 <	Etc., etc.



**Sustainability Commission
Planning Commission**

Memorandum

Sustainability Office
99 W. 10th Avenue, Suite 116
Eugene, Oregon 97401
(541) 682-5017
(541) 682-5221 FAX
www.eugene-or.gov/sustainability

Date: September 24, 2012

To: Mayor Piercy, Members of the Eugene City Council and City Manager Jon Ruiz

From: Kathi Jaworski, Chair of the Sustainability Commission and Randy Hledik, Chair of the Planning Commission

Subject: Triple Bottom Line Analysis of the West Eugene EmX Corridor Proposal

The Coordinated Land Use and Transportation Action Committee (CLUTAC), the joint committee of the Planning Commission and Sustainability Commission, has completed a Triple Bottom Line (TBL) analysis of the West Eugene EmX Corridor. After reviewing the TBL analysis, both commissions endorsed the CLUTAC report; the Sustainability Commission voted 12-0 and the Planning Commission voted 5-2.

The analysis covered three timeline impacts: construction, short-term (within five years), and long-term (between five and twenty years).

The methodology assigned a positive, negative or neutral impact to various aspects of the Corridor proposal. These impacts are shown in the enclosed Detailed Table with supporting documents indicated via endnotes.

The TBL analysis takes a holistic view of the issues related to social equity, economy and the environment. This results in a balanced perspective of all issues surrounding the topic, in this case, the West Eugene EmX.

Based on this analysis, the CLUTAC has determined that the benefits to our community from the West Eugene EmX Corridor far outweigh any potential negative impacts. CLUTAC, therefore, strongly recommends your approval of the West Eugene EmX Corridor.

To honor the process of the Planning Commission, which allows the opportunity to those with dissenting votes to provide comment, following are concerns raised by two planning commissioners who support the EmX project but voted against endorsing the CLUTAC report.

Planning Commissioner and former CLUTAC member Jeff Mills supports the EmX extension concept but cannot endorse the findings of the joint committee. In his opinion the final report significantly underestimates the negative impacts and costs of the project, and overestimates the benefits. He believes this to be particularly true during the 'short term' period following completion of construction.

Another planning commissioner, Richard Duncan, could not endorse the CLUTAC report, but does support the EmX Project, including the extension of the West 11th corridor. Mr. Duncan felt there were various unsubstantiated "negative impact" comments in the CLUTAC report. Those comments may be appropriate, but without a source reference, the validity of the statements was unknown. Mr. Duncan indicated that the West 11th EmX project is a sensitive subject in Eugene and the endorsement by the Planning Commission was an endorsement of all the statements presented in the CLUTAC report, therefore he voted against the report.

Present and past members of CLUTAC include:

Sasha Luftig

Jeff Mills

Bill Randall

Will Shaver

Jon Belcher

Josh Skov

Jessica Bloomfield

Heidi Beierle

Sue Wolling

Triple Bottom Line Assessment of Proposed EmX Corridor in West Eugene

Prepared by the Coordinated Land Use and Transportation Action Committee (CLUTAC), a joint effort of the Planning Commission and the Sustainability Commission.

In 2011, the Mayor and the City Manager asked the Coordinated Land Use and Transportation Action Committee (CLUTAC) to apply Eugene's Triple Bottom Line (TBL) analysis to the question, "is a West Eugene bus rapid transit corridor a good idea?" The TBL analysis is a framework that considers the social equity, economic, and environmental impacts, benefits and trade-offs of project alternatives.¹ This document summarizes CLUTAC's results of the TBL analysis as it applies to the proposed EmX corridor expansion in West Eugene.

Eugene has a mosaic of policies, plans, goals, and supporting attitudes among citizens that represent a vision for the community's development.² When considered together, these efforts call for a modal shift away from the car and toward bicycle, pedestrian and transit modes, significant expansion of the bus rapid transit (BRT) system, compact, mixed-use, higher density development along transit corridors, and lower greenhouse gas (GHG) emissions from transportation sources. As the Council considers the potential costs and benefits of a new West Eugene EmX corridor, it should consider this overall framework so that our decisions are consistent with the broader vision that citizens and elected officials have assembled over many years.

The CLUTAC considered the social equity, economic, and environmental impacts of the proposed corridor during three distinct time periods: 1) during construction, 2) short-term (within 5 years) and 3) long-term. While during construction the impacts are generally negative, the short and long-run benefits of the project far outweigh these initial effects.

I. Impacts on social equity:

- **During construction**, there will be decreased roadway access for adjacent households. There will be more particulate matter in the air and a higher level of noise pollution for residents and employees located near the transit line. *Overall negative impact.*
- **In the short term**, social equity impacts will be similar to long-term impacts, but smaller magnitude in some cases. *Overall positive impact.*
- **In the long term**, quality of life will improve in adjacent neighborhoods as traffic is concentrated onto the West 11th corridor and air pollution is reduced. The transit rider experience will improve due to shorter wait times, new lighting and security at EmX stations, and more predictability. The new corridor will offer more transportation options for more people, increasing disposable income for families that spend a higher-than-average share of income on transportation. Although some people may find it more difficult to access the transit stops (which will be on average 300 feet farther apart than stops in the current system), the EmX buses will have improved boarding mechanisms for seniors and altered-abled individuals. The corridor will improve pedestrian safety (by improving sidewalks), and bicycle safety (by expanding access and connectivity to the Fern Ridge Path). *Overall positive impact.*

II. Impacts on the local economy:

- **During construction**, some businesses will experience reduced access and revenues. Construction will also create new jobs and a demand for related goods and services. Mitigation measures planned by LTD will reduce construction impacts on businesses. *Overall neutral impact.*
- **In the short term**, some business may lose revenues and operational viability. There will be more opportunities for new development along the corridor and increased pedestrian and bicycle access for businesses. Some businesses will also receive site improvements; however, there will be a net decrease in parking spaces. *Overall positive impact.*
- **In the long term**, there will be an overall increase in investment due to a feeling of permanence in transit infrastructure. Although rental prices may rise along the corridor, land value will increase³ and new businesses will relocate there, resulting in a net increase in jobs. Transit riders will have more personal time (commute times will be shorter on the EmX) and the community will experience a greater resilience to fuel price volatility (due to the addition of more transportation options). *Overall positive impact.*

III. Impacts on the environment

- **During construction** there will be an increase in greenhouse gas (GHG) emissions and energy use due to the operation of diesel equipment and traffic congestion. Construction materials (concrete, asphalt and steel) are very carbon-intensive.⁴ *Overall negative impact.*
- **In the short term**, there will be a net decrease in GHG emissions and fuel consumption due to increased transit ridership and more pedestrian and bicycle use instead of vehicle use. *Overall positive impact.*
- **In the long term**, the short-term impacts will grow significantly. A functioning transit corridor will reduce overall traffic congestion, facilitate higher density and higher land values, and reduce pressure to develop elsewhere in the city. The transit project will be a catalyst for additional mode shift from cars to transit, walking and biking. *Overall positive impact.*

TBL Analysis: Detailed Table

	Social Equity	Economy	Environment
Impacts during construction	<ul style="list-style-type: none"> - Decreased roadway access along construction corridor for adjacent households (i.e., getting to and from homes). - Increased levels of pollution and particulate matter in the air near construction sites due to diesel equipment use and traffic congestion. - Noise pollution for residents and employees located near construction corridor. 	<ul style="list-style-type: none"> + 2,852 short-term direct and indirect jobs, adding up to \$103 million in labor income⁵. - Reduction of access to some businesses and properties, which may result in decreased revenues. <ul style="list-style-type: none"> + LTD mitigation measures to reduce construction impacts on businesses include late night construction and maintaining access to all businesses. 	<ul style="list-style-type: none"> - Increased energy and materials use; increased emissions. - Additional air pollution from traffic congestion due to construction delays and operation of diesel equipment. - Removal of an estimated 143 street trees and 61 landscape trees, which will be partially mitigated through replanting or replacement (no charter trees or heritage trees affected).⁶
Short-term impacts (within five years)	<p><i>Similar to long-term effects (see below), but smaller magnitude in some cases.</i></p>	<ul style="list-style-type: none"> + Opportunity for new business and housing growth on the transit line.⁷ - Some businesses may lose revenue and operational viability - Total area proposed for acquisition in the project area is 110,000 sq ft (2.53 acres) or 2% of all 118 properties within project boundary⁸. - Loss of 18 off-street parking spaces affecting 5 businesses; potential loss of up to 53 on-street parking spaces. + Access improvements for some businesses.⁹ + Increased pedestrian and bicycle access for existing businesses.¹⁰ 	<ul style="list-style-type: none"> + Reduced fuel consumption due to replacing traditional LTD buses with more fuel-efficient EmX vehicles. + Reduced GHG emissions and VMTs due to increased transit ridership and more bicyclists and pedestrians due to enhanced infrastructure¹¹.
Long-term impacts	<ul style="list-style-type: none"> + Improved access for seniors/alter-abled due to easier boarding mechanisms. + Improved quality of life in nearby neighborhoods due to the concentration of travel in the West 11th corridor and the reduction of traffic in adjacent neighborhoods. + Improved transit rider experience (shorter wait times, lighting/security at stations, more predictability/flexibility, etc.).¹² + Increased health benefits due to less air pollution. + Facilitates more active transportation with increased health benefits. + Increased access/mobility and disposable income for populations that spend a higher-than-average share of household income on transportation. - Some decrease in access/mobility for populations that find it difficult to access wider-spaced transit stops (1600ft vs. 1300ft on average). + Improved safety for pedestrians and bicyclists by widening sidewalks and moving utility poles from the middle to the outside of sidewalks. + Improved access and safety for bicyclists with connections to Fern Ridge Path. 	<ul style="list-style-type: none"> + Increased investment due to feeling of permanence of right of way infrastructure.¹³ + Improved desirability as a corridor for new businesses to locate.¹⁴ + Increased land values along transit corridor.¹⁵ <ul style="list-style-type: none"> - Some businesses will pay increased rent and may need to relocate business. + More money staying in the local economy due to residents spending less income on gas and vehicles (due to riding EmX and bike/walk).¹⁶ + Greater productivity and/or personal time for bus commuters due to reduced commute time. + More jobs due to higher levels of density. + Greater resilience to fuel price volatility because more transportation options are available when gas prices go up. + Lower costs for operating EmX routes compared to equivalent traditional bus service. 	<ul style="list-style-type: none"> + Reduction in energy and GHG emissions from transportation in West Eugene are effects of a functioning transit corridor, including to varying degrees: <ul style="list-style-type: none"> + EmX is catalyst for additional mode shift from cars to transit, walking and biking.¹⁷ + Reduced traffic congestion. + Facilitated density and higher-value land use. + Assuming higher densities on transit corridor: <ul style="list-style-type: none"> -/+ Creates need for design standards or tools to moderate impacts to nearby properties. + Pressure reduced on land use elsewhere in the city (e.g., in neighborhoods seeking to preserve character). + Active transportation modes are more viable. + Compact urban form and reduced sprawl. <p>(+/-)For additional impacts on water quality, wetlands and storm water see Environmental Assessment.¹⁸</p>

References

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- ¹ *Triple Bottom Line*, City of Eugene. Available at <http://www.eugene-or.gov/index.aspx?NID=512>.
- ² See, e.g. 1) Council-approved policies, including growth management policies, the TransPlan (original and the 2004 update), and the Metro Plan; 2) Council-approved goals, including a 50% reduction in fossil fuel use by 2030 and a “carbon neutral” local government by 2020; and 3) Stakeholder processes sanctioned by Council, including the Community Climate and Energy Action Plan (CEAP), Infill Compatibility Standards (ICS) and Opportunity Siting (OS), Envision Eugene, Bicycle and Pedestrian Strategic Plan (complete) and the Pedestrian and Bicycle Master Plan (on-going), and the West Eugene Collaborative (WEC) final report.
- ³ Federal Transit Administration (2009). Land Use Impacts of Bus Rapid Transit: Effect of BRT Station Proximity on Property Values along the Pittsburgh Martin Luther King, Jr. East Busway. Available at http://www.nbrti.org/docs/pdf/Property%20Value%20Impacts%20of%20BRT_NBRTI.pdf
- ⁴ U.S. Environmental Protection Agency (2009). Potential for Reducing Greenhouse Gas Emissions in the Construction Sector. Available at <http://www.epa.gov/sectors/pdf/construction-sector-report.pdf>
- ⁵ U.S. Department of Transportation, Federal Transit Administration (2012). Environmental Assessment West Eugene EmX Extension Project. Summary of Possible Impacts, Benefits and Mitigation. Appendix ES-1. Available at http://www.ltd.org/pdf/WEE%20EA%202012/Appendix/Appendix_ES-1_2012_06_21.pdf
- ⁶ U.S. Department of Transportation, Federal Transit Administration (2012). Environmental Assessment West Eugene EmX Extension Project. Chapter 3: Affected Environment and Environmental Consequences (page 117). Available at http://www.ltd.org/pdf/WEE%20EA%202012/EA%20documents/WEEE_EA_Ch3_AffectedEnvironmentandEnvironmentalConsequences_2012_06_21.pdf
- ⁷ Between 2004 and 2010 along the Eugene-Springfield EmX corridor, jobs outside 0.50 miles of BRT station areas fell by about five percent, or more than 5,000 jobs. Jobs located between 0.25 and 0.50 miles of station areas stayed about the same. Jobs located within 0.25 miles of stations increased by about 10 percent, or nearly 3,000 jobs. Bus Rapid Transit and Economic Development Case Study of the Eugene-Springfield, Oregon BRT System, Arthur C. Nelson et.al., Metropolitan Research Center, University of Utah. See also U.S. Government Accountability Office (2012). Bus Rapid Transit: Projects Improve Transit Service and Can Contribute to Economic Development, GAO-12-811. Available at <http://www.gao.gov/products/GAO-12-811>
- ⁸ Duncan & Brown (2012). LTD EmX Property Impact Analysis. Available at <http://www.ltd.org/pdf/WEE%202012/D&B%20-%20Technical%20Report%202011-12%20LTD%20rev%202-12.pdf>
- ⁹ *Ibid.*
- ¹⁰ U.S. Department of Transportation, Federal Transit Administration (2012). Environmental Assessment West Eugene EmX Extension Project. Chapter 4: Transportation Facilities. Available at http://www.ltd.org/pdf/WEE%20EA%202012/EA%20documents/WEEE_EA_Ch4_TransportationFacilities_2012_06_21.pdf
- ¹¹ National Cooperative Highway Research Program (2011). Cost/Benefit Analysis of Converting a Lane for Bus Rapid Transit –Phase II Evaluation and Methodology. Available at http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rrd_352.pdf. See also Los Angeles County Metropolitan Transportation Authority, ICF International and Fehr and Peers. (2011) Metro Orange Line Mode Shift Study and Greenhouse Gas Emissions Analysis. Available at http://lite.metro.net/riding_metro/bikes/images/mol_study.pdf
- ¹² U.S. Department of Transportation, Federal Transit Administration. Chapter 1: Creating Better Bus Systems. Available at <http://fta.dot.gov/4393.html>
- ¹³ Federal Transit Administration (2009). Land Use Impacts of Bus Rapid Transit: Effect of BRT Station Proximity on Property Values along the Pittsburgh Martin Luther King, Jr. East Busway. Available at http://www.nbrti.org/docs/pdf/Property%20Value%20Impacts%20of%20BRT_NBRTI.pdf
- ¹⁴ Transportation Research Board (2012). Bus Rapid Transit and Economic Development: Case Study of Eugene-Springfield, Oregon, Bus Rapid Transit System. Available at <http://onlinepubs.trb.org/1sn2af/1sn2af/1>

¹⁵ *Ibid.*

¹⁶ Joe Cortright (2007). Portland's Green Dividend: A White Paper from CEOs for Cities. Available at <http://documents.scribd.com/s3.amazonaws.com/docs/9grp6cwnk01hnrn0.pdf?t=1332875680>

¹⁷ Los Angeles County Metropolitan Transportation Authority, ICF International and Fehr and Peers. (2011) Metro Orange Line Mode Shift Study and Greenhouse Gas Emissions Analysis. Available at http://lite.metro.net/riding_metro/bikes/images/mol_study.pdf

¹⁸ U.S. Department of Transportation, Federal Transit Administration (2012). Environmental Assessment West Eugene EmX Extension Project. Available at <http://www.ltd.org/search/showresult.html?versionthread=5846cd084b147a3da05d11d5fa2c4eff>