MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SCHOOL DISTRICT 4J, LANE COUNTY, OREGON

February 17, 2010

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held an executive session at 5:30 p.m., followed by a regular board meeting at 7 p.m. on February 17, 2010, at the Education Center, 200 North Monroe Street, Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on February 12, 2010, and published in The Register-Guard on February 15, 2010.

ROLL CALL

BOARD MEMBERS:
Craig Smith, Chair
Alicia Hays, Vice Chair
Jennifer Geller
Anne Marie Levis
Jim Torrey
Mary Walston

STAFF:
George Russell, Superintendent of Schools and District Clerk
Barbara Bellamy, Chief of Staff and Communications Director
Celia Feres-Johnson, Director of Human Resources
Laurie Moses, Director of Secondary Services
Sara Cramer, Director of Elementary Services
Larry Sullivan, Director of Educational Support Services
Eric Anderson, Roosevelt Principal
Gig Nelson, Gilham Principal
Jeralynn Beghetto, Human Resources Administrator
Kerri Sage, TAG Coordinator
Betsy Shepard, Complaint Investigator

MEDIA:
Anne Williams, Register-Guard

EXECUTIVE SESSION: Under provisions of ORS 192.610 – 192.690, Open Meeting Laws, the Board of Directors conducted an Executive Session for the following purpose: To consider complaints or charges brought against a public officer, employee, staff member or individual agent, pursuant to ORS 192.660(2)(b).

REGULAR BOARD MEETING: The Executive Session recessed and the regular meeting convened with the above board members and staff present along with the following:

STAFF:
Carl Hermanns, Assistant Superintendent/Chief Academic Officer
Susan Fahey, Chief Financial Officer
Jon Lauch, Director of Facilities Management
Larry Massey, District Architect
Jeff Johnson, Arts and Technology Academy Principal
Shadilin Garcia, Arts and Technology Academy Assistant Principal
Suzanne Price, Howard Elementary School Principal

STUDENT REPRESENTATIVES:
Jenna Careccia, Churchill High School
Linda Gai, International High School (IHS), All Campuses
Sarah Hankins, North Eugene High School
Hannah Rosenberg, Sheldon High School

OTHERS
Paul Duchin, Eugene Education Association Co-President
Merri Steele, Eugene Education Association Co-President
Dayna Mitchell, Eugene Education Association
Steve Nelson, Apple Computers
Hugh Prichard and Sue Prichard, Real Estate Consultants

MEDIA:
KRVM

CALL TO ORDER AND FLAG SALUTE

Board Chair Craig Smith called the regular meeting of the School District 4J Board of Directors to order at 7 p.m. and led those present in the Pledge of Allegiance.

AGENDA REVIEW

Superintendent George Russell reported that during the executive session the board heard the appeal of two complaints to which the superintendent had responded; both asked the board to consider granting a hearing to appeal the superintendent’s decision. He said with respect to Complaint #1 he had been directed to respond that the board had agreed to hold a hearing, but requested that first the complainant meet with the superintendent to determine if the matter could be resolved without the need for a hearing; if resolution was not possible a hearing would be held. With respect to Complaint #2, he was directed to inform the complainant that the board had reviewed the superintendent’s decision and would not hold a hearing. He asked the board to take action to confirm their executive session decisions.

MOTION: Board Member Jim Torrey, seconded by Board Member Anne Marie Levis, moved to confirm the board’s executive session decisions on Complaint #1 and Complaint #2 as reported by Superintendent Russell.
VOTE: The motion passed unanimously; 6:0.

INTRODUCTION OF GUESTS AND SUPERINTENDENT’S REPORT

Superintendent Russell welcomed guests from Apple Computers, the Academy of Arts and Technology (ATA) and Howard Elementary School who would be participating later in the agenda. He said staff would be presenting an informational report on the Civic Stadium demolition permit process and related timeline. Regarding the feasibility study suggested by the Save Civic Stadium group, he suggested that the board allow the group 90 days to conduct that study in concert with other public and private entities and that such a feasibility study be conducted under the auspices of Save Civic Stadium at no cost to the district, other than minimum staff time to provide responses
and input, with other funds contributed by other interested parties such as the City of Eugene and Lane County. He noted that the district had already worked with, participated in, and conducted several reviews and studies related to Civic Stadium, including those involving the Save Civic Stadium organization, the Chamber of Commerce, the University of Oregon and the Eugene Emeralds. While the district did not oppose an additional study, he said it was not in a position to financially contribute to conducting such a study, but did encourage governmental entities that had expressed an interest in the preservation of Civic Stadium to financially support and contribute to a feasibility study by Save Civic Stadium.

Superintendent Russell said the land use decision process was on the agenda for the board’s action and he recommended that the board act to initiate that process, but with a modified timeline that would allow 90 days for the feasibility study by Save Civic Stadium. He said a modification in the timeline would allow for the results of the feasibility study to be considered before the board conducted a public hearing and made its decision regarding the findings of fact. He emphasized that the board had been clear that it did not see ownership or stewardship of Civic Stadium as part of its long-term mission and was therefore considering that disposition of the property occur through a request for proposal (RFP) process that would allow for proposals to be brought forward that could involve preservation of the structure. He said the revised timeline would delay the public hearing and board decision until June, as follows:

- **February 25** – Neighborhood meeting at South Eugene High School
- **March 17** – Debriefing of neighborhood input at regular board meeting
- **May 19** – Board receives the proposed findings of fact
- **June 2** – Public hearing
- **June 16** – Board decision regarding findings of fact and sale of property

Concluding his remarks, Superintendent Russell continued to recommend that the board approve the zone change request, but delay a decision on the separate sale of the north lots and include them as part of the RFP process to allow respondents to make offers on either the site as a whole, with the north lots included, or the stadium parcel only without the north lots. He said if the RFP process did not result in the north lots being purchased along with the stadium property, the board could then decide whether to offer them for sale as separate properties.

**COMMENTS BY STUDENT REPRESENTATIVES**

Sarah Hankins, Academy of Arts at North Eugene High School, reported that the school is considering changing the schedule from a five-period day to a four-period day. She enjoyed a recent visit to the school by Board Chair Craig Smith. She praised the Martin Luther King assembly where Superintendent Russell spoke and said there had been several Academy of Arts award assemblies. The basketball teams were doing well and in the playoffs. She stated the school had a facilitated focus group at which students shared their observations about many subjects and teachers listened. She distributed information and invited parents to obtain more information about choosing a small school for their children. She said plays currently in production were *Alice in Wonderland* and *Romeo and Juliet*.

Jenna Careccia, Churchill High School, reported that the Asian-Pacific Islander Student Union presented an assembly featuring many aspects of Asian culture. She said there would be a blood drive all day on February 24. The prom is scheduled for May 8 at Valley River Inn. She reported that she attended site council meetings at which school budgeting was discussed and was impressed by the concern and collaboration of staff around the use of resources. She encouraged more students to observe the budgeting process.
Hannah Rosenberg, Sheldon High School, said all clubs were busy with activities and events. The French Club held a Mardi Gras-themed party, the Cupcake Club baked and sold cupcakes and donated proceeds to the Haiti Relief Fund and leadership students made valentines that were delivered to residents at Sheldon Oaks Retirement Center. She said the Sheldon Theater was holding auditions for the spring musical *Urine Town* on May 7. The spring sports season would begin February 22.

Linda Gai, International High School (IHS), All Campuses, reported that IB (international baccalaureate) literacy exams had begun. IB courses are college-level classes accepted for college credit throughout the world. She said the exam is a 15-minute impromptu literary analysis of something a student read during junior or senior year and comprises about 15 percent of the IB literature test score. She invited parents of 8th graders that might be interested in attending IHS to attend a school choice information session on February 18 at Sheldon and Churchill high schools at 7 p.m.

**ITEMS RAISED BY THE AUDIENCE**

Mr. Smith read a statement explaining the procedures for providing comment to the board.

Rich Hazel, Eugene, appreciated Superintendent Russell’s comments regarding Civic Stadium, but was concerned that they did not change the fundamental nature of the suggested path, which he perceived as quick and rash given the importance of Civic Stadium to the community. He felt the path was somewhat predetermined and asked the board to consider that it could lead to the permanent extinction of an important part of Eugene’s heritage. He said it was important to recognize the charge and duty to respect the children’s legacy and history in the community and not rashly pursue a path that had a predetermined outcome. He asked the board to table action on selling the property until it received proper input on what the goal for Civic Stadium should be.

Dan Brown, KidSports board member, spoke on behalf of the organization and its supporters. He said during KidSports’ 56 years in the community the school district had been an amazing partner and he was grateful for that. He said the concern was not as much the sale of Civic Stadium as it was the eventual use of the property. He said the original vision of the property to provide the community a ballpark and open space for wholesome recreation and entertainment had given countless families a legacy of memories and he hoped that legacy could continue to grow for another 50 years. He said KidSports did not have the financial means to purchase the property to assure its continuation as a resource in the physical education of the community’s children. He urged the board, as it moves towards eventual sale of the property, to appreciate and consider any opportunities for the property to continue to provide recreation and physical activity space. He appreciated the board’s difficult task of providing resources for education and was confident the board would do the right thing.

Joe Blakely questioned why there was a rush to destroy Civic Stadium. He said since the 1940’s the board had struggled with the issue of the stadium and board members had stated they were in the business of managing education, not a stadium. He said the board was also in the business of selling school properties for commercial development and while it reaped monetary riches, the money was soon gone and the property was no longer a school asset. He said instead of selling Civic Stadium the district should retain it and use it for educational purposes such as high school football and commencement ceremonies, instead of renting other venues. High school business departments could use the stadium as a business model, including concessions and special events and involve students in architecture and preservation, grant writing, and many other activities.
related to the stadium. He said there were many apartment complexes and condominiums in Eugene, but only one Civic Stadium. He urged that one of the nation’s rarest architectural examples of a 1930’s baseball stadium not be demolished.

Chris Bayham stated that Civic Stadium was a community asset because it drew families and friends together for decades and would continue to be a community asset even though it was no longer home to the Eugene Emeralds. He encouraged the board to avoid the mistakes of institutions and individuals who had chosen to demolish physical assets such as Civic Stadium and not base its decision solely on the short-term interests of the district. He said the community supported 4J and 4J in turn supported the community.

Cary Hancock, land use attorney and business owner, expressed concern about the quality of the process the board was considering for the disposition of Civic Stadium. She was pleased with Superintendent Russell’s comments at the beginning of the meeting and urged the board to follow 4J policies regarding land use planning and decisions and management of surplus property, which require that community benefit be taken into consideration. She said the board might have a clear view of its path but the public needed to have a solid record demonstrating the positions of all obvious potential users of the stadium. She said it was more important to spend money on an analysis than a rezoning request and it seemed premature to sell off any parcels before disposition of the stadium itself was resolved. She urged the board to table any action to sell the two north lots.

Ramona Peterson, Cal Young Middle School teacher, said she had the privilege of teaching in the same classroom every day. She loves her job and could not imagine being any place else but the school and classroom. She said some days she could not be there and knew that on those days there was someone competent to take her place and do the job just as well. She noted she was a guest teacher for 13 years and enjoyed it immensely. She said guest teachers deserve respect and appreciation and asked the board to do the right thing.

Tia Holliday, North Eugene High School chemistry teacher, described the activities she had scheduled between February 15 and 22, many of which required her to be out of the classroom. She said it was essential to have competent guest teachers who could be in her classroom and ensure the instruction was continued when she was absent. It also allowed her to participate as an instructional leader in the district, but not at the expense of her students. She urged the board to support the Eugene Association of Substitute Teachers (EAST) requests to the extent possible.

Bob Hart thanked Superintendent Russell for his remarks regarding the feasibility study and timeline modifications related to Civic Stadium. He was a long-time member of the National Trust for Historic Preservation and understood the board had to exercise judgment in its decision and it was difficult to please everyone. He found it difficult to understand why the district would wish to separate two parcels in a depressed real estate market instead of retaining them and selling them in the future. He was pleased they would be part of the RFP process. He suggested the board was not considering the broader civic picture in which it played an important part as its actions flavored youths’ cynicism or optimism about how governmental systems worked. He said the community was united on the issue that bad urban renewal decisions had destroyed Eugene’s historic downtown. Selling Civic Stadium was not a panacea for the district’s financial problems and the money received from its sale was a one-time infusion of cash. Civic Stadium had undeniable drawing power and was an amenity that tourists would come to see. He said apartments and condos did not have the same cachet and the board had the power to assist in the preservation of a civic landmark that symbolized the national sport, was built in a time of economic hardship and represented community spirit and aspirations.
Kyle Yamada, Eugene International High School teacher, urged the board to cooperate with EAST to avoid devaluing substitute teachers. He said the term “substitute” was something of a misnomer because teachers relied on substitutes on a day-to-day basis and they are a significant part of students’ educational experience. He participates in district activities that take him away from his classroom periodically and he needs to know that his students would be in good hands with a guest teacher. He teaches economics and history of the Americas and it is essential to know that he can find someone qualified in those subject areas. He said it is important to recognize that guest teachers are specialists with unique skills, not just placeholders, and professionals who should be treated that way.

Rick Pettigrew, executive director of Archaeological Legacy Institute, said the organization had embarked on the making of a documentary film depicting Civic Stadium’s significance to the community. He said the stadium was built during the Great Depression by a generation that was not deterred by hard times and determined to build a future for the community. He said the stadium was given to the school district with the trust and expectation that it would be used forever for community recreation and it was difficult to believe the board would consider carving it up for sale and making way for demolition of the stadium. He used the example of the City of Cottage Grove and its commitment to preserving a covered railroad bridge because it valued its history and heritage. He said Civic Stadium was an asset many times more valuable and the board should work with the City and community groups on ways to make the property even more valuable and useful to residents in its present form, not wasting its time on plans to sell the property for short-term gain. He urged the board to recognize the value of that heritage and pass it on to future generations and table or vote against any resolutions to subdivide Civic Stadium property or prepare it for the dismantling of the stadium.

Jonathan Brandt, Save Civic Stadium vice president, stated that the stadium was a meaningful place for many in the community. He submitted a list of over 5,000 signatures supporting his group’s efforts. He said the stadium represented the community’s history and had been recognized for its historic status; it had offered families inexpensive entertainment for decades. Civic Stadium was a dream realized by the community during the Great Depression through contributions from the school district, City, Chamber of Commerce, citizens and school children whose purpose was to be a recreational facility for the school district and the community at large. He understood why the district did not want to own the property any longer, but urged the board to fully consider alternative community uses for the stadium and recommended a stadium reuse assessment be conducted by appropriate professional consultants. He said Save Civic Stadium was willing to contribute up to $10,000 towards the cost of the assessment. He also asked the board not to make the north lots available for sale separately, not to apply for a permit to demolish the stadium, and allow more time for community comment and discussion. He estimated the monthly cost to operate Civic Stadium when rental income was included at $1,000 to $2,000 per month, which was significantly below the figure cited by the district.

Christine Taylor Thompson, University of Oregon campus planner and Save Civic Stadium board member, recognized that the board questioned why it should spend time and money on the property when ownership of that type of facility was not within the district’s educational mission. She said Save Civic Stadium was not suggesting that the district must maintain ownership of the stadium property; it was asking the board to take the lead in finding a way to transfer ownership to new owners and were willing to support that effort. She appreciated the suggestion to allow time for a feasibility study, but believed that it was 4J’s role to take primary responsibility. She said Civic Stadium was part of the district’s surplus property portfolio and according to the district’s policy must be managed to maximize the financial return to the district while considering potential
community benefit. She asserted that moving too quickly at this point would be unlikely to result in the best outcomes for 4J or the community. The parcel was unique among those in the portfolio and contained a historically significant structure of immense public value. She was concerned that the process, even with the additional time, would not provide the information and context needed for respondents that might be interested in preserving Civic Stadium. She urged the district to undertake responsibility for conducting a reuse feasibility study. She said sale of the property would relieve the district of pending annual maintenance costs, but incur new costs such as a real estate study, demolition and relocation of South Eugene teams and result in loss of current income.

Dennis Hebert cited language from the Civic Stadium deed identifying its intended use as a recreational area for the school district and the municipality. He acknowledged that a court decision had granted the district the right to sell the property, but that decision did not hold up in the court of public opinion. He urged the board to retain Civic Stadium as a recreational property in perpetuity for the citizens of Eugene, Lane County and the State of Oregon.

Lauren Doxsee, Roosevelt Middle School student, said Civic Stadium had been the subject of her cultural festival project. She had discovered many interesting facts that convinced her the stadium was an important part of Eugene and should remain in existence. She lived close to Civic Stadium and would be very sad if it was no longer there when she walked to school.

Joyce Berman, Save Civic Stadium board member, thanked Superintendent Russell for being responsive to the group’s concerns. She respected the district’s work and the board’s commitment to provide adequate school funding in a world of shrinking resources. She hoped the board would support development of the stadium property in a way the community could be proud of by reflecting the hard work necessary to do the right thing instead of taking the path of least resistance. She pointed out there were current tenants of the facility, including the South Eugene High School baseball and soccer teams. If the stadium was sold it would cost the district a minimum of $300,000 to relocate the teams, including improving fields and installing lighting at South Eugene High School. She said it behooved everyone to take the time in a collaborative process to look at the community’s need for sports facilities. She pointed to Team Springfield as a collaborative initiative in Springfield that worked to fund such things as the Wildish Theater. The community had one chance to get it right.

Alan Beck, Save Civic Stadium board member, thanked Superintendent Russell for his opening remarks. He said the board could not step aside from its responsibility to the community or pretend it was the responsibility of Save Civic Stadium to conjure the salvation of the stadium. He said it was the board’s responsibility to exercise responsible stewardship of its gift, to educate itself about the potential for Civic Stadium and find out its value before giving it away. He said the RFP process alone might never offer the district the most lucrative long-term financial outcome. Save Civic Stadium’s primary goal was to educate and facilitate, rally public support and coax the best brains Eugene could muster to the same table to evaluate the stadium’s potential and maximize its promise. He encouraged the board to consider using some of the $30,000 the Emeralds still owed the district to support the effort.

Dennis Casady echoed the remarks of those who previously spoke in support of Civic Stadium.

Carlos Barrera, Friendly Area Neighbors (FAN) co-chair, noted that he had previously delivered a resolution on behalf of the FAN board objecting to the haste of the Civic Stadium process. He was pleased that there appeared to be some flexibility emerging and commended the suggestions of previous speakers. He recognized the district’s financial problems and understood the interest in
selling the stadium property, but pointed out that taking the short-term view often resulted in consequences that could not be reversed. He said divesting itself of Civic Stadium would have a similar effect on Eugene as the stadium was not just a piece of property; it was an important part of the community structure and was a place for bonding and spiritual renewal. It was part of the glue that held the community together. He urged the board to give serious consideration to the arguments that were being put forth by stadium supporters.

Andrew Fisher, Friendly Area Neighbors board member, voiced his support for efforts to preserve Civic Stadium. He recalled a poster in grade school that informed students it was better to aim high and miss than to aim low and hit. He said discussions about demolition and stripping away National Historic Registry status were distressing and it would serve the community better to focus on the goal of finding ways to preserve the stadium.

Edgar Orth, 1954 Eugene High School graduate, commented that the stadium was well-built and had been maintained over the years and relocating the high school teams would be a substantial cost to the district. He said very few structures like Civic Stadium remained in existence and he hoped that alternative uses could be identified so that it could continue to be a part of the community.

David Zupan, Progressive Voices, read and submitted a letter from Dr. Grey Brechin, National New Deal Preservation Association vice president, urging the preservation of Civic Stadium as part of the New Deal legacy. He added that watching the demise of the Amazon housing project, also of historical significance, reminded him the community should not take lightly the importance of saving what was historically significant and, in the case of Civic Stadium, still a valuable resource.

Garrick Mishaga, Jefferson Westside Neighbors board member, stated that the board was unanimously opposed to an early sale of Civic Stadium or related parcels and encouraged 4J, working with other stakeholders in the community, to conduct a feasibility study and take leadership to provide proactive solutions to use Civic Stadium before issuing an RFP. He submitted a resolution from the board. Speaking as a private citizen, he said he had been struck by the lack of architectural and civic sense of place in downtown, which was lost during urban renewal. He said Civic Stadium was a place where thousands of residents could come together to enjoy an evening of baseball with friends and families. He said the stadium was a community asset given to 4J and asked the board to give it back to the community for educational and recreational use in perpetuity. He encouraged completion of a feasibility study before any action was taken.

Jeanne-Marie Moore said she did not understand why the board was discussing proceeding with a demolition permit when it had sent a letter to a narrow group of neighbors about a meeting next week. She said the process could be very collaborative or unpleasant; the community was watching what the board was doing and would respond accordingly. She had been stunned to read a newspaper article last week about the stadium and discover that the board was discussing a demolition permit when it had not yet had a publicized meeting on the issue. She questioned how that engendered community trust.

George Brown, City Councilor from Ward 1, said he had his own concerns but regardless of what came to the City Council as a result of the process, he would be able to keep an open mind and make a good decision in the public’s benefit. He had not been able to study the problem yet. He had been researching the subject of urban renewal and was struck by how the architectural history downtown had been lost. There were very few buildings from the early days remaining and he would not want to see Civic Stadium, the beneficial influence of which extended far beyond the
immediate neighborhood, be lost. He thought a collaborative effort and partnerships would help preserve it. He announced that City Manager Jon Ruiz was allocating $5,000 to the Save Civic Stadium group to assist their efforts. Civic Stadium would also be the subject of an upcoming council work session.

Greg Giesy, Friendly Area Neighbors board member, commented that neighborhood associations could not respond as quickly as the Civic Stadium process had activities scheduled. It took 30 days to produce the neighborhood newsletter and the next neighborhood meeting would occur on April 22, close to the board’s decision-making point. He hoped the board would postpone its decision and hold discussions with neighborhoods in the area about disposition of Civic Stadium. He attended 4J schools and hoped the board would preserve the stadium.

COMMENTS BY EMPLOYEE GROUPS

Paul Duchin and Merri Steele, Eugene Education Association Co-Presidents (EEA), stated EEA’s support for EAST colleagues and hoped there would be a fair and equitable contract settlement. They stressed the importance of guest teachers in the education process for students and felt the board had the power to resolve the matter. They said March 2 was Dr. Seuss’ birthday and read a poem in recognition of the Read Across America initiative.

ITEMS FOR INFORMATION AT THIS MEETING

Acknowledge Technology Awards

Steve Nelson, Apple representative, attended the meeting to present the Apple Exemplary Program Award to the Arts and Technology Academy (ATA) and the Apple Distinguished School Award to Howard.

Jeff Johnson, ATA Principal, and the ATA staff were recognized for receiving the Apple Exemplary Program Award for the 2009-10 school year. This is a new recognition program from Apple and ATA joined 38 other schools nationwide in receiving the honor this year. The Apple Exemplary Program designation is reserved for educational programs that demonstrate a strong integration of technology into the classroom illustrating “best practice” qualities of a 21st century learning environment. Apple representatives were especially impressed by the teachers’ extensive use of various technologies to create a rich and rigorous curriculum.

Suzanne Price, Howard Principal, and the Howard staff were recognized for Howard’s status as an Apple Distinguished School being renewed for the 2009-10 school year. An Apple Distinguished School is reserved for schools that had become centers of educational excellence and leadership, consistently demonstrating “best practice” qualities of a 21st century learning environment utilizing Apple technology. For the 2009-10 school year, 54 schools across the country were selected as Apple Distinguished Schools. Howard is the only Apple Distinguished School in the state of Oregon. Apple representatives were especially impressed by the overall implementation of various methods and strategies used by the Howard staff to infuse various technologies with Apple products being the primary foundational piece to build around. The school’s use of iPods and podcasting to support struggling readers was particularly noted.

Principal Johnson introduced Assistant Principal Shadiin Garcia. He gave a slide presentation to illustrate the rapid infusion of technology at ATA over the past three years.
Principal Price introduced members of her staff and used a slide presentation to highlight the use of technology to enrich the learning environment at Howard.

Mr. Nelson invited board members to participate in upcoming site visits at ATA and Howard on April 23.

**Receive Information Regarding the Demolition Permit Process and Related Timeline for Historic Structures (Civic Stadium)**

Jon Lauch, Director of Facilities Management, stressed that the board was being presented with information, not being asked to take action. At the February 3, 2010 board meeting, board members requested more information regarding the process and timeline required for the potential removal of Civic Stadium. At that time, the district incorrectly believed that the process would require at least 16 months. Over the last week, district and city staff worked to clarify the process and now estimate the timeline for the permit approval process to be between 4 and 7 months. Mr. Lauch presented the following information:

**Background:**
Civic Stadium was listed on the National Register of Historic Places in 2008. While the designation may create some obstacles to overcome for potential alternative uses and/or redevelopment of the property, the designation was also considered favorable for those wishing to preserve the stadium and its use because of the potential opportunities available to secure grant funding to support the preservation. The historic designation would “travel” with the property and is not affected by change in ownership.

The Federal Code of Regulations provides four potential grounds for removing properties from the National Register, none of which were currently applicable to Civic Stadium. The grounds for removal included the following: 1) The property had ceased to meet the criteria for listing; 2) additional information showed that the property did not meet the National Register criteria; 3) error in professional judgment as to whether the property met the criteria; or 4) prejudicial procedural error in the nomination or listing process. With regard to item 1), a property would cease to meet the criteria for listing if qualities that caused it to originally be listed have been lost or destroyed – for example, significant damage or destruction from natural causes (fire, wind, collapse, etc.), or from demolition/removal of historic elements of the structure.

Listing in the National Register does not prevent demolition or removal of historic structures or prevent change in use of the property. However, the listing adds time for a prescribed process before such actions can commence. The added time can be potentially significant and is addressed below.

**Process and timeline required for removal of historic structures:**
The State Historic Preservation Office (SHPO) administers a federal program to certify local governments in an effort to promote historic preservation at the local level. The City of Eugene is a Certified Local Government under this program. Therefore, the process for the demolition or removal of historic structures is governed by the City of Eugene. City Code prescribes the process and related timeline as follows:

- Pre-development conference required before demo permit can be submitted – estimated time 15 days.
- Pre-application requirements (no time estimate). The property owner must establish that within the previous year, purchase offers have been solicited by giving notice as follows:
• Listing the property for sale in both the Register Guard and the Oregonian at least six times and at regular intervals;
  • Posting and maintaining visible “For Sale” sign(s) on the property as specified by the planning director; and
  • Making a financial prospectus on the status of the property available to interested parties.

• Preparation of Application (estimated at 60 days). Permit application requirements include, but are not limited to the following elements:
  • Historic mitigation report.
  • Assessment of financial and physical feasibility of rehabilitation or moving.
  • Assessment of the marketability of the property and applicant’s interest in selling.
  • Details of site, building plans, and construction details.
  • Photo documentation of the structure(s).

• Completeness Review – 30 days (or less). If the application is deemed incomplete, the applicant has 180 days within which to complete the application, or the application expires.

• Planning Director Decision – 45 days. Once the application is deemed complete, public notice is issued and the matter goes to the planning director for decision. The planning director decision can be denial, approval, or approval with conditions. Obviously, a conditional approval could add significant time before demolition could proceed, depending upon the nature of those conditions. Criteria for the planning director decision includes the following:
  • State of repair of the historic property and the physical and financial feasibility of rehabilitation, moving, or leaving in current state.
  • Effect of moving (the structure) upon the use of the (historic) property.
  • Marketability of the property and the willingness of the property owner to sell.

• Potential for postponement – 60 days (maximum, from the time the application is deemed complete). Based upon the above criteria the planning director could condition approval of the application upon a postponement of demolition if it will likely result in preservation of the historic structure in its current location.

• Appeal period – 12 days. (appeal of the planning director decision).
  • If no appeals, the planning director decision is final.
  • If appealed, a public hearing is scheduled – within 45 days.
  • Decision by Historic Review Board – 15 days from the close of public record. Public record can be held open after the public hearing to allow additional testimony and evidence (if requested, a minimum of 7 days must be granted and the extension could be longer).
  • Decision by the Historic Review Board is final for the local process.
  • Further appeals would need to be referred to the State Land Use Board of Appeals (LUBA).

Mr. Lauch said in the analysis of the above process requirements, it was clear that the pre-application requirements could not be met until after a 4J board decision to sell the property and following a reasonable amount of time to satisfy the advertising requirements. The minimum projected time for the planning director decision was estimated at 3 months (not including preparation time), providing there were no issues with the application “completeness”. A more realistic projection was 4 months. If appealed, the projected time from application submittal to final decision by the Historic Review Board is estimated to be between 5 and 7 months.

Mr. Lauch pointed out that the process was a Type II land use process with the City, but in this situation if the Historic Review Board upheld the planning director’s decision in favor of demolition, that approval did not have an expiration date. He said once a demolition permit was granted it was a 360-day process, with the option for a 180-day extension. If the structure was demolished or removed from the site that did not terminate the historic designation, the district would need to request delisting through (SHPO).
In response to a question from Mr. Torrey, Mr. Lauch said the historic designation covered the physical structure of the original stadium and the outline of the outfield fence (the baseball field itself), but not the entire tax lot.

Mr. Torrey asked if departure of the Emeralds from Civic Stadium changed its legal use to the extent that the City of Eugene could require the district to make improvements before it was put to any use, such as district sports teams or concert events. He asked for a response from City staff regarding any potential requirements and effective dates. Mr. Lauch said he would request that information from the City.

In response to a question from Mr. Smith, Mr. Lauch indicated that if the demolition process went forward with no appeals, the Historic Review Board decision would occur in about November 2011.

Mr. Smith noted that any construction activity would not start until 2012. Mr. Lauch estimated that it would take six months to deconstruct the stadium and salvage materials; it would be less time if the structure was simply demolished.

Mr. Torrey said it appeared that if an RFP respondent wished to convert the facility to mixed uses involving installation of synthetic playing surfaces on the property that could not occur for as long as three years. Mr. Lauch said that question would need to be referred to the City, but he did not feel recreational uses would jeopardize the historic significance; converting it to a business use would.

Ms. Levis asked Mr. Lauch to explain why the subject of demolition was being discussed. Mr. Lauch said the information was being provided to the board because questions about demolition were raised if there were no favorable offers for preserving the stadium and it was placed on the market; demolition would add significant time and perhaps jeopardize the sale to potential buyers. The board discussed initiating a parallel process that could be easily terminated if a viable offer to preserve the stadium was received and the agenda item was intended to inform the board about the elements and timeline of that process.

Ms. Levis said her intent was to clarify that the board had not chosen a path to demolish Civic Stadium; it was only gathering information about the various aspects of disposing of the property in the interests of transparency.

Superintendent Russell added that discussion of the demolition process began as a result of comments that the RFP could result in a proposal to use the property for other purposes. The board wished to understand the ramifications if demolition of the structure was a condition of sale.

Mr. Smith regretted that many in the audience who had expressed concern with the board’s exploration of demolition had left before this information item was discussed.

Board Member Mary Walston confirmed that the demolition process, if initiated, could be terminated by the district before any deconstruction occurred.

Mr. Smith stressed that the departure of the Emeralds was not unexpected, but it did create a financial burden for the district. He felt that claims the district was greedy because it wished to dispose of Civic Stadium were offensive.
Receive a Report on the 2010 Legislative Special Session

Susan Fahey, Chief Financial Officer, told the board that the district was informed by the Confederation of School Administrators that legislative leadership indicated the legislature would authorize $6 billion for K-12 funding for the biennium. She expected the authorization to be approved February 22. She said as part of that agreement, education service districts would not receive the full amount of funding they normally would. She will provide updated projections at the next Budget Committee meeting.

ITEMS FOR ACTION AT THIS MEETING

Initiate Land Use Decision Process for Sale of the Civic Stadium Property

On February 3, 2010, the board received a summary report from the district’s real estate consultants regarding the Civic Stadium property. The report included two recommendations: 1) That the district pursue a zone change for the property north of the 20th Avenue right of way (from R-1 to R-2) and to market the two lots for sale; and 2) that the district use a Request for Proposals (RFP) process to solicit proposals for disposition/acquisition of the larger stadium parcel.

At a neighborhood meeting on February 25, 2010 in the South Eugene High School cafeteria, staff will present information regarding the property and facility, surplus property disposition process, and the recommendations from the consultants’ report. An open forum discussion will be used to gather input from the neighborhood and to collect feedback in response to the consultants’ report and recommendations, and with regard to the proposed RFP process.

Superintendent Russell reminded the board of the revised timeline he set forth at the beginning of the meeting to accommodate a feasibility study and noted that the district would not contribute to the cost of that study. He said the district still faced financial constraints and he was not willing to recommend laying off teachers while asking the board to spend money on a feasibility study. He recommended that the board initiate the land use decision process for sale of the property and proposed including the north lots as a part of the action so they would be included in the RFP process and not sold separately. He said a public hearing would be conducted on June 2 and expected that the results of a feasibility study could be received prior to that hearing and the board’s decision on June 16. He said the 90-day time period for a feasibility study could end on May 18.

Mr. Lauch summarized Board Policy FB prescribing a Land Use Decision Process for the sale of any district property. Adjacent property owners and appropriate public agencies would be notified by mail of the process, the intended action, and the schedule for public hearing. The timeline recommended for the process was shared by Superintendent Russell at the beginning of the meeting.

The following criteria were recommended for evaluation in the decision making process for the Civic Stadium property:

1) District need for the property
2) Impact to the surrounding neighborhood
3) Conformity with applicable land use plans
4) Fiscal considerations
5) Alternative property uses considered
Mr. Smith said neighborhood associations had expressed interest in delaying the neighborhood meeting and asked if it could be rescheduled from February 25 to March 25 without impacting the rest of the timeline. Chief of Staff and Communications Director Barbara Bellamy said the Friendly Area Neighbors requested a presentation at its April 22 meeting. She said staff would offer to attend that meeting. The February 25 meeting was intended to offer information about the district’s plans and respond to questions from the public and staff recommended keeping that on the schedule.

Mr. Smith agreed that the February 25 meeting should go forward and asked staff to make themselves available to attend neighborhood association meetings as requested.

Ms. Levis observed that Save Civic Stadium had $15,000 toward the $40,000 cost of a feasibility study and questioned if there was enough time for them to raise the additional funds and meet the 90-day deadline for completion of the study. Mr. Lauch pointed out that the $40,000 cost was one proposal from an out-of-town firm. He said there were many local firms familiar with the community that could also be used for the study.

Mr. Smith commented that the Save Civic Stadium group had only asked for an additional 60-75 days.

**MOTION:** Mr. Torrey, seconded by Ms. Walston, moved to initiate the land use decision process for the sale of the Civic Stadium property, including a request to the public to provide the district with a feasibility study report for the board’s review no later than May 18, 2010.

Mr. Torrey stated it was essential that the community not be divided on the issue. He believed there were many people willing to discuss what was in the best interests of the community and Civic Stadium. He urged interested parties to contact the University of Oregon and involve planning and architecture students in the process. He said the subject of Civic Stadium had been under discussion by the board for a very long time and he hoped that the upcoming baseball season would lend energy and urgency to efforts to save the stadium for more expansive recreational uses.

Board Member Jennifer Geller appreciated the interest and passion of those who spoke on behalf of Civic Stadium. She hoped the board’s discussion clarified the process and the board’s willingness to be flexible and responsive to the public’s concerns. She said it was important to initiate the process and address the issue of whether the district should continue to own the property as it looked at its mission and how it could be fulfilled in the face of ongoing budget cuts. She hoped the RFP process would result in a solution that was attractive to the community.

Ms. Walston stated that she seconded the motion because the district needed to move forward as delays would only result in more deterioration of the facility. She was interested in the community’s historic heritage. She said the board would be approving the district’s reduced budget on June 16 and needed to be focused on student achievement and closing the achievement gap and it did not appear that continuing to own Civic Stadium would help accomplish that.

Board Vice Chair Alicia Hays agreed that the community should come together to seek solutions for Civic Stadium’s future and while the district was willing to participate in that effort, it was unable to provide funding. She described some of the challenges that the Budget Committee would face and referred to comments from a student representative at the beginning of the meeting about gaining a greater understanding of the budget process. She invited the public to attend the Budget
Committee meeting on February 22 where those difficult decisions would be made. She supported efforts to preserve the stadium, but said the district was forced to continue to cut its budget and needed to remain focused on its larger mission for students.

**VOTE:** The motion passed unanimously; 6:0.

**Approve Zone Change Request for North Lots at Civic Stadium Site**

On February 3, 2010 the board received a summary report from the district’s real estate consultants regarding the Civic Stadium property. The report included the recommendation to request a zone change for the property north of the 20th Avenue right of way from Low Density Residential (R-1) to Medium Density Residential (R-2). R-2 is the appropriate zoning designation indicated in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). The proposed zone change would enhance the potential value, marketability and flexibility of use for future development.

Superintendent Russell reminded the board that he was recommending proceeding with the zone change request, but that no separate action to sell the north lots should be taken.

Mr. Lauch reiterated that changing the zoning from R-1 to R-2 was consistent with the Metro Plan and would increase flexibility of use for the property and its value and marketability, regardless of the ultimate disposition of Civic Stadium. He said the larger stadium parcel was currently zoned Public Land (PL) and that zoning designation had transferability to a variety of non-profit organizations and public and quasi-public agencies. It provided the greatest flexibility of use for the property and therefore, there is no zone change request proposed for the larger stadium parcel located to the south of the 20th Avenue right of way. He said the zone change process was between 90 and 120 days in length.

**MOTION:** Mr. Torrey, seconded by Ms. Walston, moved to proceed with the zone change request for the north lots of the Civic Stadium property and accept the superintendent’s recommendation not to proceed with the separate sale of those lots should the zone change request be approved.

**VOTE:** The motion passed unanimously; 6:0.


Passage of House Bill 2507 requires districts to offer an Extended Diploma and the language for the Modified Diploma and the Extended Diploma should be consistent. A copy of the revised Policy IKFA was included in the board packet.

New Individuals with Disabilities Education Action (IDEA) regulations, effective December 31, 2008, give parents or students at the age of majority the right to unilaterally withdraw their consent to special education and related services and, if they do, the local education agency must cease providing special education services to the child. Special Education policies must be revised to reflect this change. Copies of the revised Policies IGBAG, IGBAH, and IGBAJ were included in the board packet.
The superintendent recommended approval of the proposed board policy revisions.


**VOTE:** The motion passed unanimously; 6:0.

### CONSENT GROUP – ITEMS FOR ACTION

**Approve Expenditures for June, July, August, September, October, November, and December 2009**

A summary of the district’s expenditures for June 2009, totaling $51,122,037.33; July 2009, totaling $16,985,002.51; August 2009, totaling $15,978,165.34; September 2009, totaling $16,266,357.84; October 2009, totaling $14,535,959.36; November 2009, totaling $17,303,981.63; and December 2009, totaling $15,177,368.36 were included in the board packet.

The superintendent recommended approval of the June, July, August, September, October, November, and December 2009 expenditures.

**MOTION:** Mr. Torrey, seconded by Ms. Levis, moved to approve the consent item.

**VOTE:** The motion passed unanimously; 6:0.

### ITEMS FOR ACTION AT A FUTURE MEETING

**Approve New Board Policy JGAB – Use of Restraint and Seclusion**

On December 8, 2006, the State Board of Education adopted new provisions on the use of physical restraint and seclusion in Oregon public schools. The revisions in OAR 581-021-0061 and OAR 581-021-0061 required a number of procedural changes. As of September 1, 2007, school district boards were to have established written policies and procedures addressing the use of restraint and seclusion. 4J developed procedures and protocols for the use of restraint and inclusion; board policy has yet to be adopted. A copy of the new Policy JGAB was included in the board packet. The superintendent will recommend approval of the proposed new board policy.

Larry Sullivan, director of Educational Support Services, explained that the new policy had been under development for two years and staff training was in progress.

Ms. Hays asked how parents and the public were involved in policy development and would be involved in implementation. Mr. Sullivan replied that staff worked closely with parents, particularly because behavior support planning is a critical element. The same process would be used in any future revisions to the policy.

### COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Ms. Walston reported on attending the Graduation Requirement Committee meeting and her visits to district schools. She enjoyed participating in the recent student culinary competition.

Ms. Geller thanked Stand for Children for their advocacy for education system funding.
Ms. Levis announced that the Eugene Education Fund met to discuss its future fund raising events. She believed that there was nothing the community could not accomplish if it worked together and thanked those who spoke to the board.

Mr. Torrey commended the student culinary competition and the array of healthy food that was available.

Ms. Hays described her recent trip to the legislature accompanied by a South Eugene High School student who had worked for members of the Lane County legislative delegation. She thanked Mr. Smith for his forthrightness and commitment to a transparent process for Civic Stadium.

**ADJourn**

Mr. Smith adjourned the meeting at 9:55 p.m.

_____________________________   _____________________________
George Russell     Craig Smith
Superintendent     Board Chair

*(Recorded by Lynn Taylor)*

**Attachments to Official Minutes:**

1. Draft Board Policy IKFA, Standard Diploma, Certificate of Accomplishment, Alternative Education Diploma and Modified Diploma
2. Draft Board Policy IGBAG, Special Education – Procedural Safeguards
3. Draft Board Policy IGBAH, Special Education – Evaluation Procedures
4. Draft Board Policy IGBAJ, Special Education – Free Appropriate Public Education (FAPE)
5. Summary of Expenditures from June through December 2009
6. Draft Board Policy JGAB – Use of Restraint and Seclusion