



City Council Agenda

Mayor
Sean VanGordon

City Council
Damien Pitts, Ward 1
Steve Moe, Ward 2
Kori Rodley, Ward 3
Leonard Stoehr, Ward 4
Marilee Woodrow, Ward 5
Joe Pishioneri, Ward 6

City Manager:
Nancy Newton
City Recorder:
AJ Nytes 541.726.3700

City Hall
225 Fifth Street
Springfield, Oregon 97477
541.726.3700
Online at www.springfield-or.gov

These meetings will be available via phone, internet using Zoom and in person. Members of the public wishing to attend these meetings electronically can call in or attend virtually by following the directions below. This information can also be found on the City’s website.

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours’ notice prior to the meeting. For meetings in the Council Meeting Room, a “Personal PA Receiver” for the hearing impaired is available, as well as an Induction Loop for the benefit of hearing aid users.

To arrange for these services, call 541.726.3700.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Council.

All proceedings before the City Council are recorded.
May 2, 2022

6:00 p.m. Work Session
Council Chambers with COVID-19 Precautions Required

or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 898 6152 9644

https://us06web.zoom.us/webinar/register/WN_lhENR_KGTPCP51TUGTAGow

To dial in using your phone in Listen Only Mode:

Dial 1 (971) 247-1195

Toll Free 1 (877) 853-5247

Oregon Relay/TTY: 711 or 800-735-1232

(Council work sessions are reserved for discussion between Council, staff and consultants; therefore, Council will not receive public input during work sessions. Opportunities for public input are given during all regular Council meetings)

CALL TO ORDER

ROLL CALL – Mayor VanGordon ____, Councilors Pitts ____, Moe ____, Rodley ____, Stoehr ____, Woodrow ____, and Pishioneri ____.

1. Review of City Council Operating Policies and Procedures
[Mary Bridget Smith] (40 Minutes)
2. Master Fees & Charges Update
[Sam Kelly-Quattrocchi] (20 Minutes)

ADJOURNMENT

7:00 p.m. Regular Meeting
Council Chambers with COVID-19 Precautions Required

or

Virtual Attendance

Registration Required:

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CALL TO ORDER

ROLL CALL – Mayor VanGordon___, Councilors Pitts___, Moe___, Rodley___, Stoehr___, Woodrow ____, and Pishioneri ___.

PLEDGE OF ALLEGIANCE

SPRINGFIELD UPBEAT

1. Mayor’s Recognition
 - a. National Nurses Week Proclamation
[Mayor VanGordon] (05 Minutes)
 - b. National Law Enforcement Week Proclamation
[Mayor VanGordon] (05 Minutes)
2. Other

CONSENT CALENDAR

1. Claims
2. Minutes
3. Resolutions
4. Ordinances
 - a. ORDINANCE NO. 1 – AN ORDINANCE AMENDING SECTIONS 8.000, 8.005, 8.010 AND 8.012 OF THE SPRINGFIELD MUNICIPAL CODE TO EXPAND OUTDOOR TEMPORARY EMERGENCY SHELTERS TO INCLUDE SOCIAL AND RELIGIOUS INSTITUTIONS AND ADOPTING A SEVERABILITY CLAUSE
 - b. ORDINANCE NO. 2 – AN ORDINANCE AMENDING SPRINGFIELD MUNICIPAL CODE SECTIONS 5.100 AND 5.104, ADDING SECTIONS 6.000 AND 6.002, AND ADOPTING A SEVERABILITY CLAUSE

5. Other Routine Matters

- a. To Award the Subject Contract for Project P21137; Springfield Traffic Modernization (Radio Systems) to L.R. Brabham Inc. for the Amount of \$149,610.00

MOTION: APPROVE/REJECT THE CONSENT CALENDAR

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS - **Please limit comments to 3 minutes. Request to speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.**

1. Annexation of Territory to the City Of Springfield – Annex 1.77 Acres of Property Located Near the Intersection of South 66th Place and Jessica Drive in Mountaingate (Map 18-02-03-00, Tax Lot 302).
[Andy Limbird] (15 Minutes)

ORDINANCE NO. 3 – AN ORDINANCE ANNEXING CERTAIN TERRITORY LOCATED AT THE SOUTHEAST EDGE OF MOUNTAINGATE 2ND ADDITION NEAR SOUTH 66TH PLACE AND JESSICA DRIVE TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

NO ACTION REQUESTED. FIRST READING ONLY

2. Annexation of Territory to the City Of Springfield – Annex 0.41-Acres of Property Located At 5423 Mt. Vernon Road (Assessor’s Map 18-02-04-42, Tax Lot 800) and a Portion of The Mt. Vernon Road Public Right-Of-Way Abutting the Property.
[Melissa Cariño] (10 Minutes)

ORDINANCE NO. 4 – AN ORDINANCE ANNEXING CERTAIN TERRITORY ADDRESSED AS 5423 MT. VERNON ROAD (ASSESSOR’S MAP 18-02-04-42, TAX LOT 800) AND A PORTION OF THE MT. VERNON ROAD PUBLIC RIGHT-OF-WAY ABUTTING THE SUBJECT PROPERTY TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; WITHDRAWING THE SAME TERRITORY FROM THE WILLAKENZIE RURAL FIRE PROTECTION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

NO ACTION REQUESTED. FIRST READING ONLY

3. Setting Local and Regional Wastewater and Stormwater User Fees Effective July 1, 2022
[Matt Stouder] (10 Minutes)

RESOLUTION NO. 1 - A RESOLUTION OF THE CITY OF SPRINGFIELD SETTING LOCAL AND REGIONAL WASTEWATER (SEWER) USER FEES AND LOCAL STORMWATER (DRAINAGE) USER FEES AS SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.

MOTION: ADOPT/NOT ADOPT RESOLUTION NO. 1 SETTING LOCAL AND REGIONAL WASTEWATER AND STORMWATER USER FEES

4. Ratification of the Metropolitan Wastewater Management Commission (MWMC) FY2022-23 Regional Wastewater Program Budget and Capital Improvement Program (CIP)
[Matt Stouder] (10 Minutes)

MOTION: ADOPT/NOT ADOPT A MOTION RATIFYING THE FY 2022-23 REGIONAL WASTEWATER PROGRAM BUDGET AND CAPITAL IMPROVEMENT PROGRAM (CIP)

BUSINESS FROM THE AUDIENCE - Limited to 20 minutes. Please limit comments to 3 minutes. Request to Speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

BIDS

ORDINANCES

1. Springfield 2030 Comprehensive Plan Amendments for Middle Housing and Affordable Housing Statutes
[Kristina Kraaz and Mark Rust] (05 Minutes)

ORDINANCE NO. 5 – AN ORDINANCE AMENDING THE SPRINGFIELD 2030 COMPREHENSIVE PLAN RESIDENTIAL AND USE AND HOUSING ELEMENT AND ECONOMIC ELEMENT TO CONFORM THE PLAN WITH NEW REQUIREMENTS IN STATE LAND USE STATUTES AND REGULATIONS RELATED TO MIDDLE HOUSING AND AFFORDABLE HOUSING DEVELOPMENT, ADOPTING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE

NO ACTION REQUESTED. FIRST READING ONLY

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments
2. Business from Council
 - a. Committee Reports
 - b. Other Business

BUSINESS FROM THE CITY MANAGER

1. Other Business

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Work Session
Staff Contact/Dept.: Mary Bridget Smith/CAO
Staff Phone No: 541-744-4061
Estimated Time: 40 Minutes
Council Goals: Mandate

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: REVIEW OF CITY COUNCIL OPERATING POLICIES AND PROCEDURES

ACTION REQUESTED: Provide direction about updating the Council Operating Policies and Procedures.

ISSUE STATEMENT: The City Attorney is seeking direction regarding the Council's annual review of its Operating Policies and Procedures.

ATTACHMENTS: 1: 2020 Springfield City Council Operating Policies and Procedures (Current Version, New Format)
2: Draft 2022 Springfield City Council Operating Policies and Procedures with Proposed Changes and Commentary
3: PowerPoint Discussion Guide

**DISCUSSION/
FINANCIAL
IMPACT:** The purpose of this item is to provide the Council with an opportunity to review and discuss its current Council Operating Policies and Procedures (Operating Policies), give feedback on the recommended changes and also provide direction on additional topics or provisions.

Chapter IV, Section 12 of the Springfield Charter requires that the City Council annually approve and maintain its Operating Policies. Approval requires a 2/3 Council vote in a regular session.

In preparation for Council's review, the City Attorney's Office reformatted the rules for readability and compared their content with the League of Oregon Cities model rules. Springfield's Operating Policies are sufficient and mostly consistent with those rules. One recommended change includes expressly naming adherence to public official ethics and nondiscrimination laws in addition to public records and public meetings.

The recommended changes also follow up on previous Council direction about adding language outlining the process for filling Council vacancies. There are also updates council meeting security and for accepting virtual testimony consistent with [HB 2560](#) the new state law about hybrid public meetings. That bill was incorporated into the state public meeting statutes and requires that to the extent reasonably possible, governing bodies must provide an opportunity for the public to attend public meetings virtually and also be able to provide written or oral testimony via electronic means such as email or a remote meeting platform.

**SPRINGFIELD CITY COUNCIL
OPERATING POLICIES AND PROCEDURES**

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SECTION 1 AUTHORITY

These operating policies and procedures are established and adopted under the authority granted in the Springfield Charter, Chapter IV, Section 12.

SECTION 2 OFFICERS OF THE COMMON COUNCIL

2.1 Election of President

At the first regular meeting of the Council in January of each odd-numbered year, the Council shall elect one of its members as President of the Common Council. The duties of President shall be those specified in the City Charter and any others expressly directed herein.

2.2 Other Seats

The City Manager, City Recorder, and City Attorney are hereby entitled to seats with the Common Council.

SECTION 3 REGULAR MEETINGS OF THE COMMON COUNCIL

3.1 Location

The regular meetings of the Common Council shall be held in the Springfield City Hall, Council Chambers, 225 Fifth Street. Changes of location must be in accordance with City Code Section 2.050.

3.2 Time

The regular meetings shall begin at 7:00 p.m. on the first and third Mondays of each month, except when that day falls on a legal holiday in which event the Council shall meet on the next following regular business day at the same time and location. If advised by the City Manager or when approved by the Mayor or three members of the Council, special meetings may be scheduled. Regular meetings may be canceled sometime during the months of March, June, July and August in order to provide a time for spring break or summer recess, and during the months of December and January to provide a time for a winter recess.

3.3 Mayor and Councilor Attendance

3.3.1 Notification. As a representative of the electorate, Councilors are expected to attend all Council work sessions and regular meetings. When it is necessary for a Councilor to be absent from any meeting of the Council, Councilors are expected to notify the City

Recorder of their planned absence. The City Charter provides that the position of Mayor or a Council member becomes vacant upon an incumbent's unexcused absence from four consecutive regular Council meetings (Springfield Charter Section 19(10)). Regular meetings are defined in the Springfield Municipal Code Section 2.055 as meetings held on the 1st and 3rd Mondays of each month. However, if the Councilor is doing his or her job in representing the electorate, attendance at both work sessions and regular meetings is necessary.

3.3.2 Excused Absences. Excused absences from Council meetings include:

- 3.3.2.1 Death in the family
- 3.3.2.2 Illness
- 3.3.2.3 Family emergency
- 3.3.2.4 Scheduled vacations; however, Councilors are encouraged, when possible, to schedule vacations during scheduled Council recesses.
- 3.3.2.5 On city business
- 3.3.2.6 Employment conflict
- 3.3.2.7 Other absences as excused by the Mayor or three members of the Council when the Mayor is not available.

3.3.3 Remote Participation. A Councilor who is unavailable in person may participate in work sessions and regular meetings remotely if approved by the Mayor and Council President. If approved, the Councilor would be considered in attendance and would not be absent. Councilors are encouraged to give the City Recorder 24 hours' notice when they plan to remotely participate in work sessions and regular meetings.

3.4 Public Meetings

3.4.1 Open to the Public. All meetings of the Council or the Boards, Committees, and Commissions of the City shall be open to the public and in conformance with Chapter 192, Oregon revised Statutes, Public Meetings.

3.4.2 Wheelchair Accommodation. The meeting location shall be ADA wheelchair-accessible. For the hearing-impaired, an interpreter can be provided within 48 hours' notice prior to the meeting.

3.4.3 Hearing Impaired Accommodation. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available, as well as the Induction Loop for the benefit of hearing aid users.

3.5 Council Agenda

3.5.1 Agenda Items. Matters to be considered by the Council at its regular meetings shall be placed on an agenda to be prepared by the City Manager from the following materials:

3.5.1.1 All items considered by the Council from work sessions which require official action of the Council.

3.5.1.2 All items directed by the Mayor or a member of the Council to be listed on the agenda. Items recommended for discussion by the Mayor require approval of the Council President. Items recommended by the Council President require approval of the Mayor. If agreement is not reached, Council consensus is required in order to add the item to the agenda.

Items recommended for discussion by a Council member require approval of the Mayor and Council President. If agreement is not reached, a majority of the Council is required in order to add the item to the agenda.

3.5.1.3 All items deemed appropriate to the City Manager.

3.5.1.4 All items which are required by law to be presented to the Council.

3.5.2 Other Items. The Council may also consider any other item, proposed by the Mayor, a member of the Council or the City Manager, not included upon the written agenda.

3.5.2.1 Requests for Proclamation. Organizations or citizens requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Mayor of the request. If the Mayor approves the request, the City Recorder will prepare the proclamation for the Mayor's signature.

3.5.2.2 Reading of Proclamations. It will be at the discretion of the Mayor if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation.

3.5.3 Time Limit. Items appearing on the Council agenda shall be assigned a time limit and the Mayor shall hold discussion to within the time limit, unless the consensus of the Council is to extend the time limit until an issue or item is discussed and resolved.

3.6 Correspondence, Petitions, Etc.

Correspondence, petitions or other written material which concern items which are or may be on the agenda may be submitted to the City Manager's Office at any time but will only appear on the agenda if received by 12:00 noon of the Wednesday preceding the Council meeting for which it is intended. The City Manager may withhold any such item from the agenda so that he/she/they may have an appropriate study made of the issue, question or request being made. Any material submitted without the author's name and address may

be put on the Council agenda but will not normally be accepted by the Council. Under normal situations, if the Council desires, substantive matters arising under “Correspondence and Petitions” or “Business from the Audience” will be referred to the City Manager for study.

3.7 Order of Business

The order of business of the Council meetings, unless the Mayor with the consent of a majority of the Council shall otherwise direct, shall be as follows:

- I – Call to Order
- II – Roll Call
- III – Pledge of Allegiance
- IV – Springfield Upbeat
 - a. Mayor’s Recognition
 - b. Other
- V – Consent Calendar
 - a. Claims
 - b. Minutes
 - c. Resolutions
 - d. Ordinance (Second readings)
 - e. Other Routine Matters
- VI – Items Removed From the Consent Calendar
- VII – Public Hearing
 - a. Consideration of ordinances or resolutions related to public hearings.
- VIII – Business From the Audience (limited to 20 minutes total)
- IX – Council Response
- X – Correspondence and Petitioners
- XI – Ordinances (First readings and emergencies)
- XII – Bids
- XIII – Business From the Council
 - a. Committee Appointments
 - b. Committee Reports
 - c. Other Business

3.8 Recesses and Adjournments

The Mayor may recess regular meetings of the City Council for approximately 10 minutes as needed. The meeting will normally adjourn by 10:00 p.m. except upon vote of a majority of the Council members present to extend the meeting to a time certain or until an issue or item is discussed and resolved.

3.9 Agenda and Supportive Material to the Public

3.9.1 Public Records Requests. The City Manager shall provide copies of all public records to any person requesting that material, in compliance with Chapter 192,

Oregon Revised Statutes, Public Records. A nominal fee for the material may be charged based upon the cost of copying plus a reasonable administrative charge based on actual cost.

3.9.2 Media Requests. Paper or electronic copies of the supportive agenda material will be available to the media, and upon request, to members of the public at the time distributed to the Council, except for those items exempt from disclosure under the Oregon Public Records Law (ORS 192.501). Exempt items, except as hereinafter stated, will nonetheless, normally be included unless the City Manager affirmatively determines that the public interest would suffer by disclosure, that the interest in frank internal communications in the particular case outweighs the public interest in disclosure; or there, upon consultation with the City Attorney, the public records law affirmatively requires non-disclosure. In accordance with the law, matters concerning land acquisition, labor negotiations, and litigation will not be disclosed in advance of the meeting at which they are considered.

3.9.3 Direct Request. In the event a request is made for electronic records of any Council member, the Councilor shall forward the request to the City Manager's Office. The City Manager's Office shall forward any requests of Council Member's electronic records to the Council. The City Manager's Office shall provide the requested electronic records subject to review by the City Attorney's Office for any applicable exemptions under Oregon Public Records Law. The Mayor and remaining Councilors shall also be notified of the request.

3.10 Presiding Officer

3.10.1 Call Meetings. The Mayor shall have the power to call meetings of the Council and shall preside over the deliberations of the Council which the Mayor attends and vote only in case of a tie.

3.10.2 Mayor Absence. The President of the Council shall preside over the meetings of the Council and perform the duties of Mayor when the Mayor is absent from a Council meeting or the Mayor is unable to function as Mayor. The President of the Council shall not lose a vote while presiding but shall not gain an additional vote by reason of presiding.

3.10.3 Mayor and President Absence. In the absence of the Mayor and the President, if a quorum of the Council is present, the senior member of the Council shall preside over the meeting as President Pro-Tem. If there is no one senior member of the Council, Council shall choose, by vote, a President Pro-Tem to preside at that meeting.

3.10.4 Limitations. The Council President or the Council President Pro-Tem, while serving as presiding officer, may move, second, and debate from the chair, subject only to the limitations of debate as are imposed on all members and shall not be

deprived of any of the rights and privileges of a Councilor by reason of acting as presiding officer.

3.11 Appeal Hearings

3.11.1 Procedure. Appeals may be filed before the City Council on the action of any appointed body of the Council or staff as provided in the appropriate Code section governing such actions. In the absence of any procedures, an appeal must be filed within 10 days of the action.

3.11.2 Notice. All appeal hearings before the city Council shall be scheduled as soon as possible after the Council is notified of the appeal, allowing sufficient time for providing the required public notices.

3.12 Enactment of Ordinance

3.12.1 Procedure. The procedure and requirements for the enactment of ordinances shall be as provided in the Charter and in Section 2.105 of the Springfield Code. The City Manager or their designee will read ordinances by title only unless otherwise requested by Council.

3.12.2 Process. As provided in Section 2.105, the reading of an ordinance is considered to have taken place by it being placed on the Council agenda. Ordinances without the emergency clause will appear on the Council agenda at two consecutive regular meetings. Ordinances containing an emergency clause are considered to have received two readings by being placed on the Council agenda at a single meeting. The Council may, by motion, remove the emergency clause in any ordinance. In all cases, each councilor's vote shall be recorded for every ordinance.

SECTION 4 CONDUCT AT COUNCIL MEETINGS

4.1 Meeting Conduct

The conduct of all meetings of the Council or of any committee appointed by it shall be governed by Roberts' Rules of Order, Revised, unless otherwise provided.

4.2 Procedures

The Council will be clear and simple in its procedures and the consideration of matters coming before it. It should avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues and to cause audience or citizen misunderstanding of or misapprehension about actions taken at the meeting.

4.3 Parliamentary Procedure

The City Attorney is designated as parliamentarian for the Council. Questions of parliamentary rules may be referred, through the presiding officer, to the City Attorney for interpretation. However, the final ruling rests with the presiding officer.

4.4 Motions

Except as provided for in paragraph 5 below, the President of the Council should ordinarily present all main motions on business to come before the Council. The second may come from any member. All members may, however, present motions when appropriate.

4.5 Motions on Bids and Claims

Motions on bids and claims shall ordinarily appear on the consent calendar. However, the Chair of the Finance and Judiciary Committee of the Council may review bids and claims prior to adoption of these matters.

4.6 Informed Public

It is the policy of the Common Council of the City of Springfield to ensure an informed public, aware of the deliberations and decisions of this body and its sub-bodies, and of the information upon which decisions were made. It is further the policy of the City of Springfield that those decisions be arrived at openly. With the exception of items approved on the consent calendar, the Mayor and Council members shall be willing to explain the rationale for each vote during the Council meeting.

SECTION 5 COUNCIL WORK SESSIONS

5.1 Governing Rules

The City Council may have work sessions at which they shall have discussion on topics of importance to them. The work sessions shall normally be held on the second and fourth Monday of each month beginning at 5:30 p.m. and may also occur on the first and third Monday at 6:00 p.m.

5.1.1 Location. The Council shall meet at the same location as the regular Council meeting, unless otherwise provided by notice.

5.1.2 Agenda. The agenda for the work session shall be prepared by the City Manager from items:

- a. All items directed by the Mayor or any member of the Council to be listed on the agenda.
- b. All items deemed appropriate by the City Manager.

5.1.3 Work Sessions. Work sessions of the City Council will normally adjourn by 10:00 p.m. except upon consent of a majority of the Council members present to extend the meeting to a time certain or until an issue or item is discussed or resolved.

5.1.4 No Work Sessions on Fifth Monday. No regular work sessions shall be scheduled on the fifth Monday of any month or on the fourth Monday during December. If advised by the City Manager and Council Leadership, special work sessions may be schedule. Work sessions may also be canceled sometime during the months of March, June, July and August in order to provide a time for spring break or summer recess, and during the months of December and January to provide a time for a winter recess.

5.1.5 Decisions at Work Sessions. Decisions made and actions taken at the work session are informal and must be ratified at a subsequent regular meeting.

SECTION 6 COUNCIL EXECUTIVE SESSIONS

6.1 Conduct

All Executive Sessions of the Common Council shall be called and conducted in accordance with Chapter 192, Oregon Revised Statutes.

6.2 Final Decisions/Actions

No Executive Session may be held for the purpose of taking any final action or making any final decision. Final actions and final decisions must be done in open, public meetings of the Council.

6.3 Attendance

Executive session attendance shall be determined by the Mayor (as the presiding officer) or the Council. The City Manager may select staff members to be present who have a demonstrable need for attendance. Members of the news media are exempted from the provisions of this section subject to the City of Springfield's Executive Session News Media Attendance Policy.

SECTION 7 CONDUCT AT COUNCIL MEETINGS AND WORK SESSIONS

7.1 Responsibility for Order

The presiding officer of the Council shall be responsible for ensuring that order and decorum are maintained during all meetings of the Council and shall be responsible for assigning to the Sergeant-at-Arms his or her duties and station.

7.1.1 Representative. The Chief of Police or a designated representative shall be the Sergeant-at-Arms.

7.1.2 Attendance. Sergeant-at-Arms shall be present at all regular and adjourned meetings and work sessions of the Council.

7.1.3 Conduct. The Sergeant-at-Arms shall have the responsibility to maintain order and to enforce the rules of conduct as directed by the presiding officer.

7.2 Order and Decorum

7.2.1 Responsibility for Order. Any of the following shall be sufficient cause for the Sergeant-at-Arms to, at the direction of the presiding officer, remove any person from the Council Chamber or City Hall, for the duration of the meeting:

7.2.1.1 The use of unreasonably loud, disruptive or profane language.

7.2.1.2 The making of loud or disruptive noise.

7.2.1.3 The engaging in violent or distracting action.

7.2.1.4 The willful damage of furnishings or of the interior of the Council Chamber or City Hall.

7.2.1.5 The refusal to obey any of the rules of conduct provided within this Section, including the limitations on occupancy and seating capacity.

7.2.1.6 The refusal to obey an order of the presiding officer or an order issued by any Council member which has been approved by a majority of the Council members present.

7.2.1.7 Any conduct which obstructs the work or the conducting of business of the Council.

7.2.2 Warning. Before the Sergeant-at-Arms is directed to remove any person from the meeting hall for conduct described in subparagraph 2.1, that person shall be given a warning by the presiding officer to cease that conduct.

7.2.3 Clearing Council Chambers. If a meeting is disrupted by members of the audience, the presiding officer or a majority of the Council members present may order that the Council Chambers or City Hall be cleared.

7.3 Flags, Signs, Posters

No flags, posters, placards, signs or animals, unless authorized by the presiding officer, may be carried or placed in the Council Chamber, or any meeting hall in which a public hearing is being held. This restriction shall not apply to armbands, emblems, badges or other articles worn on personal clothing or individuals, provided that such devices are of such a

size and nature as not to interfere with the vision or hearing of other persons at the meeting, and providing that such devices do not extend from the body in a manner likely to cause injury to another.

7.4 Picture Taking and Filming

The taking of photographs in the Council Chamber or City Hall shall be allowed except when done in violation of Nos. 7.3 and 7.4 of this Section.

7.5 Limitations on Public Debate

7.5.1 Time Limitation. Time for testimony by members of the audience at public hearings or any Council meeting at which the public is invited or allowed to address the Council may be limited for each speaker and for each subject by the presiding officer or by majority vote of the Council. In the interest of time, persons addressing the Council shall limit their remarks to three minutes or less. A person may request additional time to address the Council if the request is made to the City Manager's Office by 12 noon of the Wednesday preceding the Council meeting for which it is intended and approved by the Mayor.

7.5.2 Questions from Audience. All questions and discussions by members of the audience shall be directed to the presiding officer.

7.5.3 Directed Discussion. Directed discussion between members of the audience and Council members or city employees shall be permitted only at the discretion of the presiding officer.

7.5.4 Request to Speak. Persons desiring to speak to the Council shall complete a "Request To Speak" card which is provided at regular Council meetings and shall give it to the City Recorder. The presiding officer will recognize those persons submitting the card first and may then recognize others in the audience.

7.5.5 Business from the Audience. All public testimony at regular sessions and work sessions, except at public hearings, shall be under the agenda item, "Business from the Audience" unless specifically permitted by the Mayor.

7.5.6 Acknowledgement. All persons addressing the Council shall do so after being acknowledged by the Presiding Officer. They shall clearly state their name and ward or location in the UGB, except for land use hearings where providing an address is necessary to receive notice of a decision for appeal rights. When speaking at public hearings, persons shall confine their comments to the issue under consideration.

7.5.7 Order of Testimony. For land use matters, the order of testimony shall be as prescribed by law. For all other matters, testimony shall be given in the order Request for Speak cards are received.

7.6 Seating Capacity and Safety Requirements

7.6.1 Seating Capacity. The safe occupancy and seating capacity of the Council Chambers as determined by the Fire Marshal shall be posted within the Council Chamber. The limitations on occupancy and seating capacity so determined and posted shall be complied with at all times.

7.6.2 No Obstructions. Aisles shall be kept clear at all times and persons shall not obstruct the doorways.

7.7 News Media

7.7.1 Not Disruptive. The provisions of this Section shall not be construed to prevent news media representatives from performing their duties so long as the manner of performance is not unreasonably disruptive of the meeting.

7.7.2 Recording Equipment Usage. Representatives of news media organizations utilizing electronic recording equipment shall use the recording jacks made available in the Council Chamber for that purpose. Those persons shall not approach the Council table for the purpose of recording without permission of the presiding officer.

7.7.3 Video Tape Equipment Usage. Persons using television or video tape equipment shall set up such equipment and remove the equipment in such a manner as to cause no disruption or distraction in the meeting. The placement of video equipment shall be allowed anywhere in the Council Chamber with the exception of the Council platform.

7.7.4 Still Camera Usage. Persons using still cameras may take photographs from anywhere in the Council Chamber. Only one photographer may be on the Council platform at a time; additionally, while photographing from the Council platform, photographers will be discouraged from using automatic film advancing devices or flash units.

SECTION 8 MISCELLANEOUS CITY COUNCIL POLICIES AND PROCEDURES

8.1 Legal Opinions

Members of the City Council requesting a legal opinion from the City Attorney may do so directly provided the Mayor is aware of the inquiry or to the City Attorney at any official meeting of the Council.

8.2 Staff Time

The Mayor and City Council member shall refrain from using staff time and incurring unnecessary cost to the City.

8.3 Travel Expenses

Authorization is needed from the Mayor prior to a Council member taking a trip and incurring expenses on City-related business.

To receive authorization for attendance at a training or conference (with the exception of the League of Oregon Cities Conference) the Council member will contact the City Manager's office with their request with dates, location, cost and purpose of the training. The City Manager or their designee, will present the request to the Mayor for review and approval.

8.3.1 Reimbursement Request. The Mayor and Council members are encouraged to request reimbursement for actual expenses incurred in their duties as elected officials. Two methods of reimbursement are available for expenses incurred related to city business. See Section 3.2.

The following expenditure categories qualify for reimbursement:

- a. Out of town travel expenses including mileage, meals and lodging (not included in automatic reimbursement process).
- b. Long distance telephone costs (if not issued a city cell phone or cell phone reimbursement).
- c. Additional cellular phone costs related to calls made regarding City of Springfield business (if not receiving a city cell phone or cell phone reimbursement).
- d. Postage
- e. Local mileage and meal expense.

*None of the above items may be paid for by the City in connection with elections or campaigning for a specific office.

8.3.2 Reimbursement Process.

- a. The Mayor and Council may submit receipts or documentation for reimbursement related to city business. Receipts and documentation must be submitted within 60 days of when the city business expense occurred.
- b. Monthly Automatic Payments. The Mayor and Council may receive automatic payments for cell phone and internet services.

8.3.3 Accompanying Public Official. As of 2015, state ethics law allows public agencies to pay for the cost of admission to, or food or beverage for relatives of a public official accompanying the public official at a reception, meal or meeting held by an organization when the public official is there in their official capacity. For elected officials for the City of Springfield, the following provisions will be allows:

- a. The City will pay for the spouse or relative of an elected official to attend an event with the elected official two times per fiscal year/per elected official for an amount not to exceed \$100 per event.

8.3.4 Expense Approval. The Mayor will review and approve expense claims submitted by Council members. The Council President should review and approve expenditures submitted by the Mayor.

8.3.5 Parking Pass. The City will issue the Mayor and City Council each a parking pass to allow them to park in City owned permitted parking lots while acting in their official capacities as Mayor or members of the Council.

8.3.6 Office Supplies. The City should purchase office supplies for the Mayor and City Council. Such purchases should, when practical, occur through the normal city purchasing procedures.

8.3.7 Cellular Telephone and Internet. The Mayor and Council may receive reimbursement for cellular and/or internet services, for city business, or the City may provide a cellular phone with service, for city use only. The Mayor and Council also have the option of receiving neither.

8.3.7.1 Internet Services: The Mayor and Council may receive reimbursement for internet services. Reimbursement will be at the rate of \$40.00 per month. This amount may be re-evaluated at any time staff or council leadership deems review is necessary (e.g., rate increases).

Policy Guidelines are applicable as noted in (1) City of Springfield Administrative Regulation No. 04-01.01, Acceptable Use of City Network Services and Computing Devices; and (2) State Archives Division guidelines regarding email and retention. Your email system may be subject to review by someone in the event of a public records request to determine what can be disclosed.

8.3.7.2 Cellular Telephone: The Mayor and Council can be provided with a city cell phone, for city use only. The phone is purchased by the City and the monthly plan fees are processed directly through the City, by the service provider.

A secondary option for the Mayor and Council is to use their own cell phone rather than a city issued telephone. A reimbursement amount of \$45 per month is available for use of personal cell phones. The amount may be re-evaluated at any time staff or the council leadership deems review is necessary (e.g., rate increase).

8.3.7.3 Mileage Reimbursement: Mileage reimbursement will be based on the IRS approved rate.

The Mayor/Council will be provided with a monthly travel report template which they may use to document their mileage, or they may create their own document listing mileage to and from meetings or events they attend in their

capacity as an elected official. Once the mileage report is submitted by the Mayor/Council member, and approved (see subsection 3.4 for approval process) the payment will be processed and provided either through direct deposit or sent directly to the Mayor/Council member's home.

8.4 Mayor and Council Members Speaking to Media or at Events

8.4.1 Interview or Press Conference. The Mayor and City Council members shall, if at all possible, notify the City Manager's Office and the Mayor if they are asked to do an interview or initiate a press conference relating to city business or policy prior to its occurrence. The Mayor or Council member shall clarify what, if any, official capacity they are representing when speaking to the media.

8.4.2 Speaking Engagement. City Council members shall notify the Council President if they plan to attend and speak at a community event in their role as a Council member. At the outset of the event, the Council member shall clarify that their comments are their own and do not represent that of the full Council.

8.5 Public Records and Public Meetings Law

It shall be incumbent upon members of the Common Council to become familiar with public records and public meetings law, Chapter 192, Oregon Revised Statutes.

8.6 Letter of Support or Opposition

The Mayor and Council often receive requests for a letter of support or opposition on a particular issue. These requests should be addressed as follows:

8.6.1 Council Input. If the Mayor or a Councilor is being asked to provide the letter as the Mayor, an individual Councilor or simply as a citizen, they may choose to forward the request to the other Councilors for their input before submitting their response or providing the letter; however, it is not required.

8.6.2 Agenda Review. If the request is asking for a position by the entire Council, and there is sufficient time, the letter is to be provided to the City Manager's Office for review at the next available Agenda Review meeting for review by Council leadership who will provide a proposed response.

The proposed response letter is to be brought to the next Council meeting by the City Manager with any objections or comments for discussion. Council will make a motion to approve/approve with changes/or not approve the response letter.

- If the letter is unanimously approved by the Council as written or as amended, it is signed by the Mayor on behalf of the Council.
- If the letter is approved by the majority of the Council as written or amended, but not unanimously, the letter will list the number of "yes" and

“no” votes and any abstentions, listing the respective Councilors’ names by each of the votes.

- If Council chooses not to submit a response letter, a Councilor (preferably the one receiving the original request) will contact the requestor to let them know the Council does not wish to take a position on the matter. This would not preclude a Councilor from taking a position as an individual Councilor or citizen.

8.6.3 Council Discussion/Response. If there is not sufficient time for the process above, the letter will be brought directly to the Council for discussion and action on a response.

8.6.4 No Position on Quasi-Judicial Land Use Decisions. The Council shall not take any position on quasi-judicial land use matters which will be considered by the Planning Commission or City Council.

8.7 Condolences

Council may choose to authorize the purchase of flowers in circumstances where a community member or a member of the community member’s family has died.

- a. The cost of the flowers will have a not to exceed amount of \$50 and will be sent on behalf of the Mayor and Council.
- b. In lieu of flowers, a donation could be made on behalf of the Mayor and Council, with a not to exceed amount of \$50 to a non-profit organization with a 501(c)(3) designation.

SECTION 9 COUNCIL BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES

9.1 Establishing City Boards, Commissions, Committees, and Task Forces

9.1.1 Citizen Participation. Springfield’s boards, commissions, committees and task forces provide an invaluable service to the City. It is because of their detailed study, action and recommendations that many successful city programs exist today. Effective citizen participation is an invaluable tool for local government.

9.1.2 Sources. Boards, commissions, committees and task forces originate from different sources. Some are established by State statute, Charter provision, or ordinance. Others are established by direction of the City Council or the Mayor. It is Council discretion as to whether or not any advisory body should be set forth in the Code by ordinance.

9.1.3 Citizen Participation. Springfield’s boards, commissions, committees, and task forces bring together citizen viewpoints which might not otherwise be heard. Persons of wide-ranging interest who want to participate in public service but not

compete for public office may choose to be involved in advisory boards, commissions, committees and task forces instead. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking elected public office. They also help fulfill the goals of the City's adopted Citizen Involvement Program to have an informed and involved citizenry.

9.1.4 Uniform Rules of Procedure. As Springfield boards, commissions, committees and task forces have been formed and reformed throughout the years, the adoption of uniform rules of procedure has become necessary to assure maximum productivity. The following policies govern the City's boards, commissions, committees and task forces. Some of these advisory groups may have more specific guidelines set forth by ordinance, resolution, bylaws or, at times, State law.

9.2 Structuring Boards, Commissions, Committees and Task Forces

9.2.1 Statement of Purpose. Every board, commission, committee or task force, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the Mayor and City Council to determine its effectiveness. This statement of purpose is made available to all citizens and will be included on application materials.

9.2.2 Mayor Determinations. Unless otherwise provided by state law, the size of each board, commission, committee or task force is determined by the Mayor for Mayor's committees and task forces including those specified by Charter, and by the Council for Council boards, commissions and committees. The size is related to its duties and responsibilities. Another determination to be made prior to formation is the cost impact for staffing a proposed board, commission, committee or task force.

9.2.3 Council Liaison. At the first regular meeting in January following a November general election, the Mayor appoints City Councilor liaison members to certain City boards, commissions, committees and task forces. The City Councilor liaison member is responsible for coordinating with the respective liaison designated by the board, commission, committee, or task force to establish a regular communication channel between the City Council and the respective board, commission, committee or task force.

9.2.4 Member List. A complete list of members of the City's various boards, commissions, committees and task forces is available in the City Manager's Office. It will be updated and posted on the City's website.

9.3 Appointing Board, Commission, Committee and Task Force Members: Definitions, Nominations and Appointment

9.3.1 Council Subcommittees – Three Councilors: Council subcommittees appointed by the Mayor. Consists of three members of the Council and may include other citizen representation. Judiciary, Finance, Legislative.

9.3.2 Council Boards, Commissions, Committee: Boards, commissions and committees of the Council or as required by Federal or State law. Nominated by the Mayor or Council, appointed by the Council.

9.3.3 Mayor’s Committees/Task Forces: Committee or task force nominated and appointed by the Mayor to carry out a particular project or task. The Mayor may request Council to accept as a permanent committee at such time deemed necessary or dissolve the committee or task force. The term would be for the completion of the particular project or task.

9.3.4 Intergovernmental Committees: Boards, commissions and committees formed as a joint effort of more than one government agency. Many of these committees are through cooperative agreement. Others are by Council or staff choice to represent the City of Springfield. Nominated by the Mayor or Council and appointed by the Council.

9.3.5 Other Ad Hoc Committees/Task Forces: The Council may nominate and appoint certain ad hoc committees or task forces to carry out a particular project or task. The term would be for the completion of the particular project or task.

9.3.6 Council – Officially Recognized – Neighborhood Groups: Springfield Code, Section 2.650, sets forth a procedure to be used for formation of neighborhood groups to be officially recognized by the City Council.

9.3.7 Vacancies. Vacancies of boards, commissions, committees or task forces will be filled as needed. Notice of vacancies will be publicized as widely as practical throughout the community through means such as media releases, website postings, and local advertising. All persons interested in being considered for an appointment to any of the City’s various boards, commissions, committees or task forces shall submit an application, on a form provided, to the City Manager’s Office prior to formal consideration by the Council. The Mayor and Council will hold formal interviews of applicants for positions on the Budget Committee, Planning Commission, Lane Regional Air Protection Agency and Metropolitan Wastewater Management Commission. A recommendation from these bodies is not necessary although they may have a representative present to participate in the interview process. The City Council will hold formal interviews for all other positions, unless a candidate is reapplying to a second consecutive term on a particular board, commission, committee or task force. In that case, the Mayor may decide it is not

necessary to interview the candidate forward that candidate's application directly to the Council for approval.

9.3.8 Formal Interviews. The Mayor and Council will hold formal interviews of applicants for positions on all city boards, commissions and committees.

The process for appointments shall be as follows:

- a) The Mayor and Council will meet for interviews at a work session. The Council is provided with an agenda item summary packet that contains standard questions to ask candidates. Prior to interviews, additional questions may be developed by the Mayor and Council at the direction of the Council President or Mayor.
- b) Each candidate will be asked the same set of questions during the interview; however, questions may also be asked to follow up on an interview question or to clarify information in the application.
- c) Following the interviews, the Council will discuss the candidates and attempt to arrive at an appointment by consensus. If multiple vacancies exist, the appointments will be made one at a time and the vacancy with the longest outstanding term shall be appointed first.
- d) The appointment will be ratified at the following regular meeting.
- e) City staff will call the candidates with the outcome of the appointment. Follow-up letters of appointment and thank you will be sent with the Mayor's signature.

9.3.9 Residency. Unless appointees are representatives of other requested Springfield public agencies, or otherwise noted in bylaws for specific expertise or residency requirements, all persons appointed shall be residents or property owners within Springfield. All appointees must also be registered voters, with the exception of student appointees.

9.3.10 Serving on Planning Commission or Budget Committee Only. When possible, the Council will not appoint people currently serving on another governing body to the Planning Commission or Budget Committee.

9.3.11 Appointment. When appointing people to any of the other City boards, commissions or committees, the Council shall take into account whether that person is being reappointed for a subsequent term, is currently serving on another governing body or currently appointed to another City board, commission or committee.

9.3.12 Appointment to One Board, Commission or Committee. When possible, the Council will appoint people to serve on one City board, commission or committee only.

9.3.13 Term of Office. Unless otherwise provided by law or Council approved bylaws, citizen positions on boards, commissions, committees or task forces shall be for four-year, overlapping terms of office with no individual allowed to be appointed to more than two consecutive full terms. If someone is appointed to fill a partial term, that term will not be considered a full term as it applies to this section and they will be eligible to serve two additional full terms. One may re-apply after being off a board, commission, committee or task force for one year.

9.3.14 Alternate Voting Members. There shall be no designation or appointment of alternate voting members.

9.3.15 New Members Briefing. Newly appointed members will receive a briefing regarding their duties and responsibilities as members of the body and a review of Oregon public official ethics laws by the staff liaison. The board, commission, committee or task force chairperson may attend as well.

9.4 Dissolving Boards, Commissions, Committees and Task Forces

Unless otherwise provided by law, the appointing authority may dissolve any board, commission, committee or task force that, in their opinion, has completed its working function.

9.5 Board, Commission, Committee and Task Force Operating Policies

9.5.1 Supersede Previous Policies. These policies shall supersede contrary provisions of any previous resolutions or adopting bylaws of the various boards, commissions, committees or task forces and shall be controlling policies for any subsequently adopted board, commission, committee, or task force operation documents until such time as expressly repealed, modified, or overruled.

9.5.2 Public Meetings Law. All meetings of boards, commissions, committees, and task forces that are formed to make a recommendation to the Council are subject to public meetings laws of the State of Oregon.

9.5.3 Notice of Meetings. Unless otherwise provided by law, the number of meetings related to business needs of the board, commission, committee or task force may be set by the individual body. Notices of all meetings, including date, time, place, and principal subjects to be discussed will be published in accordance with the public meetings laws of the State of Oregon.

9.5.4 Amendments. For those boards, commissions, committees, or task forces having bylaws, all bylaw and amendments will be approved by the Mayor and/or Council.

9.5.5 Agenda and Minutes. The chairperson or staff liaison (if assigned) will be responsible for the agenda of all meetings of boards, commissions, committees, and task forces. They will also assure that minutes are kept of all meetings in accordance with the public meetings laws of the State of Oregon.

9.5.6 Member Removal. All appointees serve at the pleasure of the appointing authority. A position shall be vacated by the Council when the appointee has two or more consecutive unexcused absences from the board, commission, or committee meetings in any twelve consecutive month period. The Chair, in consultation with City staff, may also recommend to council leadership a member be removed from the committee if a member is found not to meet the committee's adopted Code of Conduct or Guidelines.

9.5.7 Quorum. A quorum for conducting business is a simple majority of the membership of the board, commission, committee, or task force.

9.5.8 Conflicts of Interest. All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage. Additionally, certain public officials are required to file "Statements of Economic Interest" with the Oregon Government Ethics Commission by April 15 annually (ORS Chapter 244). In Springfield, this currently applies to the following:

Mayor and City Council
Planning Commission
Springfield Community Development Board

Others:
Springfield Utility Board
Municipal Judges
City Manager

9.5.9 Speaking on Behalf of the Board, Commission or Committee. Unless specifically directed by the City Council to state the City's official position on federal, state or county legislative matters, no lobbying before other elected bodies or subcommittees thereof will be undertaken by members of boards, commissions, committees, or task forces. An individual member is free to voice a position on an issue as long as it is made clear that he/she is not speaking as a representative of the City of Springfield or as a member of his/her board, commission, committee, or task force. Violation of this provision may be cause for removal from the board, commission, committee, or task force.

9.6 Communicating with the Mayor and Council

9.6.1 Liaison. Each year, each board, commission, committee or task force shall designate one member to serve as liaison with the City Council. The board member liaison shall coordinate with the City Councilor liaison to establish regular communication regarding upcoming City Council meeting agenda items and of Council decisions that are of interest to these advisory bodies.

9.6.2 Council Meeting Attendance. Board member liaisons, particularly, and members of advisory bodies, in general, are encouraged to attend City Council meetings to keep abreast of Council actions. Board member liaisons are responsible for attending Council meetings when input from the respective board, commission, committee, or task force is requested. Such meeting attendance will be coordinated by the City Councilor liaison.

9.6.3 Information Referrals. The Mayor and City Council will transmit referrals for information or action through the City Council liaison member responsible for that particular board, commission, committee, or task force. Boards, commissions, committees and task forces transmit findings, reports, etc., to the Mayor and City Council through their board member liaison. Such transmittals of information shall be coordinated between the City Councilor liaison and the board member liaison.

9.6.4 Joint Meetings. The board member liaison for the Arts Commission, Historic Commission, Library Board, and Springfield Police Advisory Committee shall be responsible for scheduling a joint meeting of the respective board and the City Council every two years.

9.6.5 No Liaison. Boards, commissions, committees, and task forces that do not have City Councilor liaison members will transmit findings, reports, etc. to the Mayor and City Council through the City Manager's Office as needed. These advisory boards, commissions, committees and task forces will be informed of City Council actions that are of interest to them through the City Manager's Office.

9.6.6 City Employees. While the City staff's role is one of assisting the boards, commissions, committees or task forces, City staff members are not employees of that body. City staff members are directly responsible to their department director and the City Manager.

9.6.7 Budget Requests. Boards, commissions, committees and task forces will channel any budget request to the City Council through the City Manager consistent with the yearly budget preparation calendar. Boards, commissions, and committees will receive copies of the City of Springfield's approved operating budget each year upon request.

9.6.8 Minutes. Boards, commissions, committees and task forces shall provide their meeting minutes to the Mayor and City Council.

SECTION 10
AMENDMENTS AND ADDITIONS TO OPERATING POLICIES AND PROCEDURES

10.1 Temporarily Suspended

10.1.1 Suspended by Vote. Unless otherwise superseded by law, any part of these operating procedures and policies may be temporarily suspended by a two-thirds vote of those members of the Council present and voting.

10.1.2 Amendments. These operating policies and procedures may be permanently amended at any meeting at which prior notice of the proposed change was provided to each member of the Council. A two-thirds vote of those members of the Council present, and voting is needed to affect an amendment or an addition to these operating policies and procedures.

Adopted by the Common Council on _____.

Mayor

City Recorder

SPRINGFIELD CITY COUNCIL OPERATING POLICIES AND PROCEDURES

UPDATED: March 2022

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SECTION 1 AUTHORITY

These operating policies and procedures are established and adopted under the authority granted in the Springfield Charter, Chapter IV, Section 12.

SECTION 2 OFFICERS OF THE COMMON COUNCIL

2.1 Election of President

At the first regular meeting of the Council in January of each odd-numbered year, the Council shall elect one of its members as President of the Common Council. The duties of President shall be those specified in the City Charter and any others expressly directed herein.

2.2 Other Seats

The City Manager, City Recorder, and City Attorney are hereby entitled to seats with the Common Council.

2.3 Council Vacancy Process

The Council will declare that a vacancy has occurred at a regular meeting.

Before filling a vacancy in an elective office as defined in the Springfield Charter, the Council shall adopt a process that includes but is not limited to qualifications, advertising and outreach regarding the vacancy, a standard application form, the interview process and public participation. The Council cannot adopt process until the public has had an opportunity to provide comment about the process at a public hearing. The adopted process will not commence until after the vacating Councilor has vacated their position ceased their role.

Commentary: This draft language is meant to follow up on Council direction about providing a process for filing a Council Vacancy where the Council must adopt a process after having a public hearing. It specifies when the process can start and that the Council must declare a vacancy.

**SECTION 3
REGULAR MEETINGS OF THE COMMON COUNCIL**

3.1 Location

The regular meetings of the Common Council shall be held in the Springfield City Hall, Council Chambers, 225 Fifth Street. Changes of location must be in accordance with City Code Section 2.050.

3.2 Time

The regular meetings shall begin at 7:00 p.m. on the first and third Mondays of each month, except when that day falls on a legal holiday in which event the Council shall meet on the next following regular business day at the same time and location. If advised by the City Manager or when approved by the Mayor or three members of the Council, special meetings may be scheduled. Regular meetings may be canceled sometime during the months of March, June, July and August in order to provide a time for spring break or summer recess, and during the months of December and January to provide a time for a winter recess.

3.3 Mayor and Councilor Attendance

3.3.1 Notification. As a representative of the electorate, Councilors are expected to attend all Council work sessions and regular meetings. When it is necessary for a Councilor to be absent from any meeting of the Council, Councilors are expected to notify the City Recorder of their planned absence. The City Charter provides that the position of Mayor or a Council member becomes vacant upon an incumbent's unexcused absence from four consecutive regular Council meetings (Springfield Charter Section 19(10)). Regular meetings are defined in the Springfield Municipal Code Section 2.055 as meetings held on the 1st and 3rd Mondays of each month. However, if the Councilor is doing his or her job in representing the electorate, attendance at both work sessions and regular meetings is necessary.

3.3.2 Excused Absences. Excused absences from Council meetings include:

- 3.3.2.1 Death in the family
- 3.3.2.2 Illness
- 3.3.2.3 Family emergency
- 3.3.2.4 Scheduled vacations; however, Councilors are encouraged, when possible, to schedule vacations during scheduled Council recesses.
- 3.3.2.5 On city business
- 3.3.2.6 Employment conflict
- 3.3.2.7 Other absences as excused by the Mayor or three members of the Council when the Mayor is not available.

~~3.3.3 Remote Participation. A Councilor who is unavailable in person may participate in work sessions and regular meetings remotely if approved by the Mayor and Council President. If approved, the Councilor would be considered in attendance and would not be absent. Councilors are encouraged to give the City Recorder 24 hours' notice when they plan to remotely participate in work sessions and regular meetings.~~

This section can be removed because Councilors can attend meeting remotely without assistance from staff.

Option A: Remove Section all together

Option B: Replace with something like: Councilors may at their discretion elect to attend Council meetings in person or remotely.

3.4 Public Meetings

3.4.1 Open to the Public. All meetings of the Council or the Boards, Committees, and Commissions of the City shall be open to the public and in conformance with Chapter 192, Oregon revised Statutes, Public Meetings.

Commentary: The new provisions about hybrid meetings (HB 2560 -public participation in person and electronically) are incorporated into ORS 192. There is no requirement to add additional language to these rules since the rules refer to ORS Chapter 192.

~~3.4.2 Wheelchair Accommodation for Persons with Disabilities. The meeting location shall be accessible to persons with disabilities ~~ADA wheelchair-accessible.~~ Upon request of a person who is deaf or heard of hearing, the City will make a good faith effort to provide an interpreter at a regularly scheduled meeting. The request shall be made at least 48 hours in advance and include the name of the requester and sign language preference. ~~For the hearing impaired, an interpreter can be provided within 48 hours' notice prior to the meeting.~~~~

Commentary: Updated language to conform with ORS 192.630(5).

3.4.3 Deaf or Hard of Hearing Accommodation. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available, as well as the Induction Loop for the benefit of hearing aid users.

3.5 Council Agenda

3.5.1 Agenda Items. Matters to be considered by the Council at its regular meetings shall be placed on an agenda to be prepared by the City Manager from the following materials:

3.5.1.1 All items considered by the Council from work sessions which require official action of the Council.

3.5.1.2 All items directed by the Mayor or a member of the Council to be listed on the agenda. Items recommended for discussion by the Mayor require approval of the Council President. Items recommended by the Council President require approval of the Mayor. If agreement is not reached, Council consensus is required in order to add the item to the agenda.

Items recommended for discussion by a Council member require approval of the Mayor and Council President. If agreement is not reached, a majority of the Council is required in order to add the item to the agenda.

3.5.1.3 All items deemed appropriate to the City Manager.

3.5.1.4 All items which are required by law to be presented to the Council.

3.5.2 Other Items. The Council may also consider any other item, proposed by the Mayor, a member of the Council or the City Manager, not included upon the written agenda.

3.5.2.1 Requests for Proclamation. Organizations or citizens requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Mayor of the request. If the Mayor approves the request, the City Recorder will prepare the proclamation for the Mayor's signature.

3.5.2.2 Reading of Proclamations. It will be at the discretion of the Mayor if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation.

3.5.3 Time Limit. Items appearing on the Council agenda shall be assigned a time limit and the Mayor shall hold discussion to within the time limit, unless the consensus of the Council is to extend the time limit until an issue or item is discussed and resolved.

3.6 Correspondence, Petitions, Etc.

Correspondence, petitions or other written material which concern items which are or may be on the agenda may be submitted to the City Manager's Office at any time but will only appear on the agenda if received by 12:00 noon of the Wednesday preceding the Council meeting for which it is intended. The City Manager may withhold any such item from the agenda so that he/she/they may have an appropriate study made of the issue, question or request being made. Any material submitted without the author's name and address may be put on the Council agenda but will not normally be accepted by the Council. Under normal situations, if the Council desires, substantive matters arising under

“Correspondence and Petitions” or “Business from the Audience” will be referred to the City Manager for study.

Commentary: HB 2560 provides that governing bodies must provide a means for the public to electronically submit written testimony. Since this provision does not specify how to submit testimony it does not necessarily need to be changed.

Options:

- 1. Leave as is*
- 2. Specify the methods for submitting written testimony- mail, drop off, email*
- 3. Use League of Oregon Cities language for submitting testimony:
Written Communications to Council.
1. Unsolicited communications to the mayor and/or council concerning matters on the agenda shall be forwarded to the council in the agenda packet, but shall not be individually itemized on the agenda.
Model Rules of Procedure for Council Meetings 11
2. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.
3. The city manager [city administrator] may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the council, and making a recommendation for council action.*

3.7 Order of Business

The order of business of the Council meetings, unless the Mayor with the consent of a majority of the Council shall otherwise direct, shall be as follows:

- I – Call to Order
- II – Roll Call
- III – Pledge of Allegiance
- IV – Springfield Upbeat
 - a. Mayor’s Recognition
 - b. Other
- V – Consent Calendar
 - a. Claims
 - b. Minutes
 - c. Resolutions
 - d. Ordinance (Second readings)
 - e. Other Routine Matters
- VI – Items Removed From the Consent Calendar
- VII – Public Hearing
 - a. Consideration of ordinances or resolutions related to public hearings.
- VIII – Business From the Audience (limited to 20 minutes total)
- IX – Council Response

- X – Correspondence and Petitioners
- XI – Ordinances (First readings and emergencies)
- XII – Bids
- XIII – Business From the Council
 - a. Committee Appointments
 - b. Committee Reports
 - c. Other Business
- XIV- Business from the City Manager
- XV- Business from the City Attorney

3.8 Recesses and Adjournments

The Mayor may recess regular meetings of the City Council for approximately 10 minutes as needed. The meeting will normally adjourn by 10:00 p.m. except upon vote of a majority of the Council members present to extend the meeting to a time certain or until an issue or item is discussed and resolved.

3.9 Agenda and Supportive Material to the Public

3.9.1 Public Records Requests. The City Manager shall provide copies of all public records to any person requesting that material, in compliance with Chapter 192, Oregon Revised Statutes, Public Records. A nominal fee for the material may be charged based upon the cost of copying plus a reasonable administrative charge based on actual cost.

3.9.2 Media Requests. Paper or electronic copies of the supportive agenda material will be available to the media, and upon request, to members of the public at the time distributed to the Council, except for those items exempt from disclosure under the Oregon Public Records Law (ORS 192.501). Exempt items, except as hereinafter stated, will nonetheless, normally be included unless the City Manager affirmatively determines that the public interest would suffer by disclosure, that the interest in frank internal communications in the particular case outweighs the public interest in disclosure; or there, upon consultation with the City Attorney, the public records law affirmatively requires non-disclosure. In accordance with the law, matters concerning land acquisition, labor negotiations, and litigation will not be disclosed in advance of the meeting at which they are considered.

3.9.3 Direct Request. In the event a request is made for electronic records of any Council member, the Councilor shall forward the request to the City Manager's Office. The City Manager's Office shall forward any requests of Council Member's electronic records to the Council. The City Manager's Office shall provide the requested electronic records subject to review by the City Attorney's Office for any applicable exemptions under Oregon Public Records Law. The Mayor and remaining Councilors shall also be notified of the request.

3.10 Presiding Officer

3.10.1 Call Meetings. The Mayor shall have the power to call meetings of the Council and shall preside over the deliberations of the Council which the Mayor attends and vote only in case of a tie.

3.10.2 Mayor Absence. The President of the Council shall preside over the meetings of the Council and perform the duties of Mayor when the Mayor is absent from a Council meeting or the Mayor is unable to function as Mayor. The President of the Council shall not lose a vote while presiding but shall not gain an additional vote by reason of presiding.

3.10.3 Mayor and President Absence. In the absence of the Mayor and the President, if a quorum of the Council is present, the senior member of the Council shall preside over the meeting as President Pro-Tem. If there is no one senior member of the Council, Council shall choose, by vote, a President Pro-Tem to preside at that meeting.

3.10.4 Limitations. The Council President or the Council President Pro-Tem, while serving as presiding officer, may move, second, and debate from the chair, subject only to the limitations of debate as are imposed on all members and shall not be deprived of any of the rights and privileges of a Councilor by reason of acting as presiding officer.

3.11 Appeal Hearings

3.11.1 Procedure. Appeals may be filed before the City Council on the action of any appointed body of the Council or staff as provided in the appropriate Code section governing such actions. In the absence of any procedures, an appeal must be filed within 10 days of the action.

3.11.2 Notice. All appeal hearings before the city Council shall be scheduled as soon as possible after the Council is notified of the appeal, allowing sufficient time for providing the required public notices.

3.12 Enactment of Ordinance

3.12.1 Procedure. The procedure and requirements for the enactment of ordinances shall be as provided in the Charter and in Section 2.105 of the Springfield Code. The City Manager or their designee will read ordinances by title only unless otherwise requested by Council.

3.12.2 Process. As provided in Section 2.105, the reading of an ordinance is considered to have taken place by it being placed on the Council agenda. Ordinances without the emergency clause will appear on the Council agenda at two consecutive regular meetings. Ordinances containing an emergency clause are considered to have received two readings by being placed on the Council agenda at a single

meeting. The Council may, by motion, remove the emergency clause in any ordinance. In all cases, each councilor's vote shall be recorded for every ordinance.

SECTION 4 CONDUCT AT COUNCIL MEETINGS

4.1 Meeting Conduct

The conduct of all meetings of the Council or of any committee appointed by it shall be governed by Roberts' Rules of Order, Revised, unless otherwise provided.

4.2 Procedures

The Council will be clear and simple in its procedures and the consideration of matters coming before it. It should avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues and to cause audience or citizen misunderstanding of or misapprehension about actions taken at the meeting.

4.3 Parliamentary Procedure

The City Attorney is designated as parliamentarian for the Council. Questions of parliamentary rules may be referred, through the presiding officer, to the City Attorney for interpretation. However, the final ruling rests with the presiding officer.

4.4 Motions

Except as provided for in paragraph 5 below, the President of the Council should ordinarily present all main motions on business to come before the Council. The second may come from any member. All members may, however, present motions when appropriate.

4.5 Motions on Bids and Claims

Motions on bids and claims shall ordinarily appear on the consent calendar. However, the Chair of the Finance and Judiciary Committee of the Council may review bids and claims prior to adoption of these matters.

4.6 Informed Public

It is the policy of the Common Council of the City of Springfield to ensure an informed public, aware of the deliberations and decisions of this body and its sub-bodies, and of the information upon which decisions were made. It is further the policy of the City of Springfield that those decisions be arrived at openly. With the exception of items approved on the consent calendar, the Mayor and Council members shall be willing to explain the rationale for each vote during the Council meeting.

**SECTION 5
COUNCIL WORK SESSIONS**

5.1 Governing Rules

The City Council may have work sessions at which they shall have discussion on topics of importance to them. The work sessions shall normally be held on the second and fourth Monday of each month beginning at 5:30 p.m. and may also occur on the first and third Monday at 6:00 p.m.

5.1.1 Location. The Council shall meet at the same location as the regular Council meeting, unless otherwise provided by notice.

5.1.2 Agenda. The agenda for the work session shall be prepared by the City Manager from items:

- a. All items directed by the Mayor or any member of the Council to be listed on the agenda.
- b. All items deemed appropriate by the City Manager.

5.1.3 Work Sessions. Work sessions of the City Council will normally adjourn by 10:00 p.m. except upon consent of a majority of the Council members present to extend the meeting to a time certain or until an issue or item is discussed or resolved.

5.1.4 No Work Sessions on Fifth Monday. No regular work sessions shall be scheduled on the fifth Monday of any month or on the fourth Monday during December. If advised by the City Manager and Council Leadership, special work sessions may be schedule. Work sessions may also be canceled sometime during the months of March, June, July and August in order to provide a time for spring break or summer recess, and during the months of December and January to provide a time for a winter recess.

5.1.5 Decisions at Work Sessions. Decisions made and actions taken at the work session are informal and must be ratified at a subsequent regular meeting.

**SECTION 6
COUNCIL EXECUTIVE SESSIONS**

6.1 Conduct

All Executive Sessions of the Common Council shall be called and conducted in accordance with Chapter 192, Oregon Revised Statutes.

6.2 Final Decisions/Actions

No Executive Session may be held for the purpose of taking any final action or making any final decision. Final actions and final decisions must be done in open, public meetings of the Council.

6.3 Attendance

Executive session attendance shall be determined by the Mayor (as the presiding officer) or the Council. The City Manager may select staff members to be present who have a demonstrable need for attendance. Members of the news media are exempted from the provisions of this section subject to the City of Springfield's Executive Session News Media Attendance Policy.

SECTION 7 CONDUCT AT COUNCIL MEETINGS AND WORK SESSIONS

7.1 Responsibility for Order

The presiding officer of the Council shall be responsible for ensuring that order and decorum are maintained during all meetings of the Council. and the City Manager or designee shall be responsible for providing security at all meetings of the Council and is responsible for enforcing the rules of conduct as directed by the presiding officer. ~~assigning to the Sergeant-at-Arms his or her duties and station.~~

~~7.1.1 Representative. The Chief of Police or a designated representative shall be the Sergeant-at-Arms.~~

~~7.1.2 Attendance. Sergeant-at-Arms shall be present at all regular and adjourned meetings and work sessions of the Council.~~

~~7.1.3 Conduct. The Sergeant-at-Arms shall have the responsibility to maintain order and to enforce the rules of conduct as directed by the presiding officer.~~

7.2 Order and Decorum

7.2.1 Responsibility for Order. Any of the following shall be sufficient cause for the ~~Sergeant-at-Arms to, at the direction of the~~ presiding officer, remove any person from a Council Meeting the Council Chamber or City Hall, for the duration of the meeting:

7.2.1.1 The use of unreasonably loud, disruptive or profane language.

7.2.1.2 The making of loud or disruptive noise.

7.2.1.3 The engaging in violent or distracting action.

7.2.1.4 The willful damage of furnishings or of the interior of the Council Chamber or City Hall.

7.2.1.5 The refusal to obey any of the rules of conduct provided within this Section, including the limitations on occupancy and seating capacity.

7.2.1.6 The refusal to obey an order of the presiding officer or an order issued by any Council member which has been approved by a majority of the Council members present.

7.2.1.7 Any conduct which obstructs the work or the conducting of business of the Council.

7.2.2 Warning. Before ~~the Sergeant at Arms is directed to remove any person is removed~~ from the meeting hall for conduct described in subparagraph 7.2.1, that person shall be given a warning by the presiding officer to cease that conduct.

7.2.3 Clearing Council Chambers. If a meeting is disrupted by members of the audience, the presiding officer or a majority of the Council members present may order that the Council Chambers or City Hall be cleared.

Commentary: Updating this section to delegate security at Council meetings to City Manager instead of Police Chief.

7.3 Flags, Signs, Posters

No flags, posters, placards, signs or animals, unless authorized by the presiding officer, may be carried or placed in the Council Chamber, or any meeting hall in which a public hearing is being held. This restriction shall not apply to armbands, emblems, badges or other articles worn on personal clothing or individuals, provided that such devices are of such a size and nature as not to interfere with the vision or hearing of other persons at the meeting, and providing that such devices do not extend from the body in a manner likely to cause injury to another.

7.4 Picture Taking and Filming

The taking of photographs in the Council Chamber or City Hall shall be allowed except when done in violation of Nos. 7.3 and 7.4 of this Section.

7.5 Limitations on Public Debate

7.5.1 Time Limitation. Time for testimony by members of the audience at public hearings or any Council meeting at which the public is invited or allowed to address the Council may be limited for each speaker and for each subject by the presiding officer or by majority vote of the Council. In the interest of time, persons addressing the Council shall limit their remarks to three minutes or less. A person may request additional time to address the Council if the request is made to the City Manager's Office by 12 noon of the Wednesday preceding the Council meeting for which it is intended and approved by the Mayor.

7.5.2 Questions from Audience. All questions and discussions by members of the audience shall be directed to the presiding officer.

7.5.3 Directed Discussion. Directed discussion between members of the audience and Council members or city employees shall be permitted only at the discretion of the presiding officer.

7.5.4 Request to Speak. ~~Persons attending a Council meeting in person desiring to speak to the Council shall give a completed "Request To Speak" card which is provided at regular Council meetings and shall give it to the City Recorder. Persons attending a Council meeting virtually shall notify the City Recorder that they wish to speak by 'raising their hand' on the meeting platform application. The presiding officer will recognize those persons submitting the card first and may then recognize others in the audience.~~

7.5.5 Business from the Audience. All public testimony at regular sessions and work sessions, except at public hearings, shall be under the agenda item, "Business from the Audience" unless specifically permitted by the presiding officer Mayor.

7.5.6 Acknowledgement. All persons addressing the Council shall do so after being acknowledged by the Presiding Officer. They shall clearly state their name and ward or location in the UGB, except for land use hearings where providing an address is necessary to receive notice of a decision for appeal rights. When speaking at public hearings, persons shall confine their comments to the issue under consideration.

7.5.7 Order of Testimony. For land use matters, the order of testimony shall be as prescribed by law. For all other matters, the presiding officer will recognize those attending the meeting in person first and then those attending virtually who have notified the City Recorder that they wish to speak. The presiding officer may also recognize others in the audience. testimony shall be given in the order Request for Speak cards are received.

Commentary: These changes are meant to capture the new statutory requirement to provide a means to provide both in person and virtual testimony.

7.6 Seating Capacity and Safety Requirements

7.6.1 Seating Capacity. The safe occupancy and seating capacity of the Council Chambers as determined by the Fire Marshal shall be posted within the Council Chamber. The limitations on occupancy and seating capacity so determined and posted shall be complied with at all times.

7.6.2 No Obstructions. Aisles shall be kept clear at all times and persons shall not obstruct the doorways.

7.7 News Media

7.7.1 Not Disruptive. The provisions of this Section shall not be construed to prevent news media representatives from performing their duties so long as the manner of performance is not unreasonably disruptive of the meeting.

7.7.2 Recording Equipment Usage. Representatives of news media organizations utilizing electronic recording equipment shall use the recording jacks made available in the Council Chamber for that purpose. Those persons shall not approach the Council table for the purpose of recording without permission of the presiding officer.

7.7.3 Video Tape Equipment Usage. Persons using television or video tape equipment shall set up such equipment and remove the equipment in such a manner as to cause no disruption or distraction in the meeting. The placement of video equipment shall be allowed anywhere in the Council Chamber with the exception of the Council platform.

7.7.4 Still Camera Usage. Persons using still cameras may take photographs from anywhere in the Council Chamber. Only one photographer may be on the Council platform at a time; additionally, while photographing from the Council platform, photographers will be discouraged from using automatic film advancing devices or flash units.

SECTION 8 MISCELLANEOUS CITY COUNCIL POLICIES AND PROCEDURES

8.1 Legal Opinions

Members of the City Council requesting a legal opinion from the City Attorney may do so directly provided the Mayor is aware of the inquiry or to the City Attorney at any official meeting of the Council.

8.2 Staff Time

The Mayor and City Council member shall refrain from using staff time and incurring unnecessary cost to the City.

8.3 Travel Expenses

Authorization is needed from the Mayor prior to a Council member taking a trip and incurring expenses on City-related business.

To receive authorization for attendance at a training or conference (with the exception of the League of Oregon Cities Conference) the Council member will contact the City Manager's office with their request with dates, location, cost and purpose of the training.

The City Manager or their designee, will present the request to the Mayor for review and approval.

8.3.1 Reimbursement Request. The Mayor and Council members are encouraged to request reimbursement for actual expenses incurred in their duties as elected officials. Two methods of reimbursement are available for expenses incurred related to city business. See Section **3.2**.

The following expenditure categories qualify for reimbursement:

- a. Out of town travel expenses including mileage, meals and lodging (not included in automatic reimbursement process).
- b. Long distance telephone costs (if not issued a city cell phone or cell phone reimbursement).
- c. Additional cellular phone costs related to calls made regarding City of Springfield business (if not receiving a city cell phone or cell phone reimbursement).
- d. Postage
- e. Local mileage and meal expense.

*None of the above items may be paid for by the City in connection with elections or campaigning for a specific office.

8.3.2 Reimbursement Process.

- a. The Mayor and Council may submit receipts or documentation for reimbursement related to city business. Receipts and documentation must be submitted within 60 days of when the city business expense occurred.
- b. Monthly Automatic Payments. The Mayor and Council may receive automatic payments for cell phone and internet services.

8.3.3 Accompanying Public Official. As of 2015, state ethics law allows public agencies to pay for the cost of admission to, or food or beverage for relatives of a public official accompanying the public official at a reception, meal or meeting held by an organization when the public official is there in their official capacity. For elected officials for the City of Springfield, the following provisions will be allows:

- a. The City will pay for the spouse or relative of an elected official to attend an event with the elected official two times per fiscal year/per elected official for an amount not to exceed \$100 per event.

8.3.4 Expense Approval. The Mayor will review and approve expense claims submitted by Council members. The Council President should review and approve expenditures submitted by the Mayor.

8.3.5 Parking Pass. The City will issue the Mayor and City Council each a parking pass to allow them to park in City owned permitted parking lots while acting in their official capacities as Mayor or members of the Council.

8.3.6 Office Supplies. The City should purchase office supplies for the Mayor and City Council. Such purchases should, when practical, occur through the normal city purchasing procedures.

8.3.7 Cellular Telephone and Internet. The Mayor and Council may receive reimbursement for cellular and/or internet services, for city business, or the City may provide a cellular phone with service, for city use only. The Mayor and Council also have the option of receiving neither.

8.3.7.1 Internet Services: The Mayor and Council may receive reimbursement for internet services. Reimbursement will be at the rate of \$40.00 per month. This amount may be re-evaluated at any time staff or council leadership deems review is necessary (e.g., rate increases).

Policy Guidelines are applicable as noted in (1) City of Springfield Administrative Regulation No. 04-01.01, Acceptable Use of City Network Services and Computing Devices; and (2) State Archives Division guidelines regarding email and retention. Your email system may be subject to review by someone in the event of a public records request to determine what can be disclosed.

8.3.7.2 Cellular Telephone: The Mayor and Council can be provided with a city cell phone, for city use only. The phone is purchased by the City and the monthly plan fees are processed directly through the City, by the service provider.

A secondary option for the Mayor and Council is to use their own cell phone rather than a city issued telephone. A reimbursement amount of \$45 per month is available for use of personal cell phones. The amount may be re-evaluated at any time staff or the council leadership deems review is necessary (e.g., rate increase).

8.3.7.3 Mileage Reimbursement: Mileage reimbursement will be based on the IRS approved rate.

The Mayor/Council will be provided with a monthly travel report template which they may use to document their mileage, or they may create their own document listing mileage to and from meetings or events they attend in their capacity as an elected official. Once the mileage report is submitted by the Mayor/Council member, and approved (see subsection 3.4 for approval process) the payment will be processed and provided either through direct deposit or sent directly to the Mayor/Council member's home.

8.4 Mayor and Council Members Speaking to Media or at Events

8.4.1 Interview or Press Conference. The Mayor and City Council members shall, if at all possible, notify the City Manager's Office and the Mayor if they are asked to do an interview or initiate a press conference relating to city business or policy prior to its occurrence. The Mayor or Council member shall clarify what, if any, official capacity they are representing when speaking to the media.

8.4.2 Speaking Engagement. City Council members shall notify the Council President if they plan to attend and speak at a community event in their role as a Council member. At the outset of the event, the Council member shall clarify that their comments are their own and do not represent that of the full Council.

8.5 Public Official Ethics, Public Records, and Public Meetings and Unlawful Discrimination Laws

~~It shall be incumbent upon members of the Common Council to become familiar with public records, and public meetings law, Chapter 192, Oregon Revised Statutes.~~

All members of the Common Council shall review and observe the requirements of state laws regarding public official ethics, public records, public meetings and unlawful discrimination against others because of race, color, religion, sex, sexual orientation, gender identity, national, origin marital status, age, disability or other protected class status as defined under Oregon law.

Commentary: Current Operating Policies already had a specific reference to the Common Council being familiar with public meeting and records law but did not mention public official ethics or nondiscrimination laws. This language is taken from the LOC model council rules and ORS 659A.003 which sets out Oregon's policy behind their antidiscrimination laws.

8.6 Letter of Support or Opposition

The Mayor and Council often receive requests for a letter of support or opposition on a particular issue. These requests should be addressed as follows:

8.6.1 Council Input. If the Mayor or a Councilor is being asked to provide the letter as the Mayor, an individual Councilor or simply as a citizen, they may choose to forward the request to the other Councilors for their input before submitting their response or providing the letter; however, it is not required.

8.6.2 Agenda Review. If the request is asking for a position by the entire Council, and there is sufficient time, the letter is to be provided to the City Manager's Office for review at the next available Agenda Review meeting for review by Council leadership who will provide a proposed response.

The proposed response letter is to be brought to the next Council meeting by the City Manager with any objections or comments for discussion. Council will make a motion to approve/approve with changes/or not approve the response letter.

- If the letter is unanimously approved by the Council as written or as amended, it is signed by the Mayor on behalf of the Council.
- If the letter is approved by the majority of the Council as written or amended, but not unanimously, the letter will list the number of “yes” and “no” votes and any abstentions, listing the respective Councilors’ names by each of the votes.
- If Council chooses not to submit a response letter, a Councilor (preferably the one receiving the original request) will contact the requestor to let them know the Council does not wish to take a position on the matter. This would not preclude a Councilor from taking a position as an individual Councilor or citizen.

8.6.3 Council Discussion/Response. If there is not sufficient time for the process above, the letter will be brought directly to the Council for discussion and action on a response.

8.6.4 No Position on Quasi-Judicial Land Use Decisions. The Council shall not take any position on quasi-judicial land use matters which will be considered by the Planning Commission or City Council.

8.7 Condolences

Council may choose to authorize the purchase of flowers in circumstances where a community member or a member of the community member’s family has died.

- a. The cost of the flowers will have a not to exceed amount of \$50 and will be sent on behalf of the Mayor and Council.
- b. In lieu of flowers, a donation could be made on behalf of the Mayor and Council, with a not to exceed amount of \$50 to a non-profit organization with a 501(c)(3) designation.

SECTION 9 COUNCIL BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES

9.1 Establishing City Boards, Commissions, Committees, and Task Forces

9.1.1 Citizen Participation. Springfield’s boards, commissions, committees and task forces provide an invaluable service to the City. It is because of their detailed study, action and recommendations that many successful city programs exist today. Effective citizen participation is an invaluable tool for local government.

9.1.2 Sources. Boards, commissions, committees and task forces originate from different sources. Some are established by State statute, Charter provision, or ordinance. Others are established by direction of the City Council or the Mayor. It is Council discretion as to whether or not any advisory body should be set forth in the Code by ordinance.

9.1.3 Citizen Participation. Springfield's boards, commissions, committees, and task forces bring together citizen viewpoints which might not otherwise be heard. Persons of wide-ranging interest who want to participate in public service but not compete for public office may choose to be involved in advisory boards, commissions, committees and task forces instead. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking elected public office. They also help fulfill the goals of the City's adopted Citizen Involvement Program to have an informed and involved citizenry.

9.1.4 Uniform Rules of Procedure. As Springfield boards, commissions, committees and task forces have been formed and reformed throughout the years, the adoption of uniform rules of procedure has become necessary to assure maximum productivity. The following policies govern the City's boards, commissions, committees and task forces. Some of these advisory groups may have more specific guidelines set forth by ordinance, resolution, bylaws or, at times, State law.

9.2 **Structuring Boards, Commissions, Committees and Task Forces**

9.2.1 Statement of Purpose. Every board, commission, committee or task force, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the Mayor and City Council to determine its effectiveness. This statement of purpose is made available to all citizens and will be included on application materials.

9.2.2 Mayor Determinations. Unless otherwise provided by state law, the size of each board, commission, committee or task force is determined by the Mayor for Mayor's committees and task forces including those specified by Charter, and by the Council for Council boards, commissions and committees. The size is related to its duties and responsibilities. Another determination to be made prior to formation is the cost impact for staffing a proposed board, commission, committee or task force.

9.2.3 Council Liaison. At the first regular meeting in January following a November general election, the Mayor appoints City Councilor liaison members to certain City boards, commissions, committees and task forces. The City Councilor liaison member is responsible for coordinating with the respective liaison designated by the board, commission, committee, or task force to establish a regular communication channel between the City Council and the respective board, commission, committee or task force.

9.2.4 Member List. A complete list of members of the City's various boards, commissions, committees and task forces is available in the City Manager's Office. It will be updated and posted on the City's website.

9.3 Appointing Board, Commission, Committee and Task Force Members: Definitions, Nominations and Appointment

9.3.1 Council Subcommittees – Three Councilors: Council subcommittees appointed by the Mayor. Consists of three members of the Council and may include other citizen representation. Judiciary, Finance, Legislative.

9.3.2 Council Boards, Commissions, Committee: Boards, commissions and committees of the Council or as required by Federal or State law. Nominated by the Mayor or Council, appointed by the Council.

9.3.3 Mayor's Committees/Task Forces: Committee or task force nominated and appointed by the Mayor to carry out a particular project or task. The Mayor may request Council to accept as a permanent committee at such time deemed necessary or dissolve the committee or task force. The term would be for the completion of the particular project or task.

9.3.4 Intergovernmental Committees: Boards, commissions and committees formed as a joint effort of more than one government agency. Many of these committees are through cooperative agreement. Others are by Council or staff choice to represent the City of Springfield. Nominated by the Mayor or Council and appointed by the Council.

9.3.5 Other Ad Hoc Committees/Task Forces: The Council may nominate and appoint certain ad hoc committees or task forces to carry out a particular project or task. The term would be for the completion of the particular project or task.

9.3.6 Council – Officially Recognized – Neighborhood Groups: Springfield Code, Section 2.650, sets forth a procedure to be used for formation of neighborhood groups to be officially recognized by the City Council.

9.3.7 Vacancies. Vacancies of boards, commissions, committees or task forces will be filled as needed. Notice of vacancies will be publicized as widely as practical throughout the community through means such as media releases, website postings, and local advertising. All persons interested in being considered for an appointment to any of the City's various boards, commissions, committees or task forces shall submit an application, on a form provided, to the City Manager's Office prior to formal consideration by the Council. The Mayor and Council will hold formal interviews of applicants for positions on the Budget Committee, Planning Commission, Lane Regional Air Protection Agency and Metropolitan Wastewater Management Commission. A recommendation from these bodies is not necessary although they may have a representative present to participate in the interview

process. The City Council will hold formal interviews for all other positions, unless a candidate is reapplying to a second consecutive term on a particular board, commission, committee or task force. In that case, the Mayor may decide it is not necessary to interview the candidate forward that candidate's application directly to the Council for approval.

9.3.8 Formal Interviews. The Mayor and Council will hold formal interviews of applicants for positions on all city boards, commissions and committees.

The process for appointments shall be as follows:

- a) The Mayor and Council will meet for interviews at a work session. The Council is provided with an agenda item summary packet that contains standard questions to ask candidates. Prior to interviews, additional questions may be developed by the Mayor and Council at the direction of the Council President or Mayor.
- b) Each candidate will be asked the same set of questions during the interview; however, questions may also be asked to follow up on an interview question or to clarify information in the application.
- c) Following the interviews, the Council will discuss the candidates and attempt to arrive at an appointment by consensus. If multiple vacancies exist, the appointments will be made one at a time and the vacancy with the longest outstanding term shall be appointed first.
- d) The appointment will be ratified at the following regular meeting.
- e) City staff will call the candidates with the outcome of the appointment. Follow-up letters of appointment and thank you will be sent with the Mayor's signature.

9.3.9 Residency. Unless appointees are representatives of other requested Springfield public agencies, or otherwise noted in bylaws for specific expertise or residency requirements, all persons appointed shall be residents or property owners within Springfield. All appointees must also be registered voters, with the exception of student appointees.

9.3.10 Serving on Planning Commission or Budget Committee Only. When possible, the Council will not appoint people currently serving on another governing body to the Planning Commission or Budget Committee.

9.3.11 Appointment. When appointing people to any of the other City boards, commissions or committees, the Council shall take into account whether that person is being reappointed for a subsequent term, is currently serving on another

governing body or currently appointed to another City board, commission or committee.

9.3.12 Appointment to One Board, Commission or Committee. When possible, the Council will appoint people to serve on one City board, commission or committee only.

9.3.13 Term of Office. Unless otherwise provided by law or Council approved bylaws, citizen positions on boards, commissions, committees or task forces shall be for four-year, overlapping terms of office with no individual allowed to be appointed to more than two consecutive full terms. If someone is appointed to fill a partial term, that term will not be considered a full term as it applies to this section and they will be eligible to serve two additional full terms. One may re-apply after being off a board, commission, committee or task force for one year.

9.3.14 Alternate Voting Members. There shall be no designation or appointment of alternate voting members.

9.3.15 New Members Briefing. Newly appointed members will receive a briefing regarding their duties and responsibilities as members of the body and a review of Oregon public official ethics laws by the staff liaison. The board, commission, committee or task force chairperson may attend as well.

9.4 Dissolving Boards, Commissions, Committees and Task Forces

Unless otherwise provided by law, the appointing authority may dissolve any board, commission, committee or task force that, in their opinion, has completed its working function.

9.5 Board, Commission, Committee and Task Force Operating Policies

9.5.1 Supersede Previous Policies. These policies shall supersede contrary provisions of any previous resolutions or adopting bylaws of the various boards, commissions, committees or task forces and shall be controlling policies for any subsequently adopted board, commission, committee, or task force operation documents until such time as expressly repealed, modified, or overruled.

9.5.2 Public Meetings Law. All meetings of boards, commissions, committees, and task forces that are formed to make a recommendation to the Council are subject to public meetings laws of the State of Oregon.

9.5.3 Notice of Meetings. Unless otherwise provided by law, the number of meetings related to business needs of the board, commission, committee or task force may be set by the individual body. Notices of all meetings, including date, time, place, and principal subjects to be discussed will be published in accordance with the public meetings laws of the State of Oregon.

9.5.4 Amendments. For those boards, commissions, committees, or task forces having bylaws, all bylaw and amendments will be approved by the Mayor and/or Council.

9.5.5 Agenda and Minutes. The chairperson or staff liaison (if assigned) will be responsible for the agenda of all meetings of boards, commissions, committees, and task forces. They will also assure that minutes are kept of all meetings in accordance with the public meetings laws of the State of Oregon.

9.5.6 Member Removal. All appointees serve at the pleasure of the appointing authority. A position shall be vacated by the Council when the appointee has two or more consecutive unexcused absences from the board, commission, or committee meetings in any twelve consecutive month period. The Chair, in consultation with City staff, may also recommend to council leadership a member be removed from the committee if a member is found not to meet the committee's adopted Code of Conduct or Guidelines.

9.5.7 Quorum. A quorum for conducting business is a simple majority of the membership of the board, commission, committee, or task force.

9.5.8 Conflicts of Interest. All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage. Additionally, certain public officials are required to file "Statements of Economic Interest" with the Oregon Government Ethics Commission by April 15 annually (ORS Chapter 244). In Springfield, this currently applies to the following:

Mayor and City Council
Planning Commission
Springfield Community Development Board

Others:
Springfield Utility Board
Municipal Judges
City Manager

9.5.9 Speaking on Behalf of the Board, Commission or Committee. Unless specifically directed by the City Council to state the City's official position on federal, state or county legislative matters, no lobbying before other elected bodies or subcommittees thereof will be undertaken by members of boards, commissions, committees, or task forces. An individual member is free to voice a position on an issue as long as it is made clear that he/she is not speaking as a representative of the City of Springfield or as a member of his/her board, commission, committee, or task force. Violation of this provision may be cause for removal from the board, commission, committee, or task force.

9.6 Communicating with the Mayor and Council

9.6.1 Liaison. Each year, each board, commission, committee or task force shall designate one member to serve as liaison with the City Council. The board member liaison shall coordinate with the City Councilor liaison to establish regular communication regarding upcoming City Council meeting agenda items and of Council decisions that are of interest to these advisory bodies.

9.6.2 Council Meeting Attendance. Board member liaisons, particularly, and members of advisory bodies, in general, are encouraged to attend City Council meetings to keep abreast of Council actions. Board member liaisons are responsible for attending Council meetings when input from the respective board, commission, committee, or task force is requested. Such meeting attendance will be coordinated by the City Councilor liaison.

9.6.3 Information Referrals. The Mayor and City Council will transmit referrals for information or action through the City Council liaison member responsible for that particular board, commission, committee, or task force. Boards, commissions, committees and task forces transmit findings, reports, etc., to the Mayor and City Council through their board member liaison. Such transmittals of information shall be coordinated between the City Councilor liaison and the board member liaison.

9.6.4 Joint Meetings. The board member liaison for the Arts Commission, Historic Commission, Library Board, and Springfield Police Advisory Committee shall be responsible for scheduling a joint meeting of the respective board and the City Council every two years.

9.6.5 No Liaison. Boards, commissions, committees, and task forces that do not have City Councilor liaison members will transmit findings, reports, etc. to the Mayor and City Council through the City Manager's Office as needed. These advisory boards, commissions, committees and task forces will be informed of City Council actions that are of interest to them through the City Manager's Office.

9.6.6 City Employees. While the City staff's role is one of assisting the boards, commissions, committees or task forces, City staff members are not employees of that body. City staff members are directly responsible to their department director and the City Manager.

9.6.7 Budget Requests. Boards, commissions, committees and task forces will channel any budget request to the City Council through the City Manager consistent with the yearly budget preparation calendar. Boards, commissions, and committees will receive copies of the City of Springfield's approved operating budget each year upon request.

9.6.8 Minutes. Boards, commissions, committees and task forces shall provide their meeting minutes to the Mayor and City Council.

SECTION 10
AMENDMENTS AND ADDITIONS TO OPERATING POLICIES AND PROCEDURES

10.1 Temporarily Suspended

10.1.1 Suspended by Vote. Unless otherwise superseded by law, any part of these operating procedures and policies may be temporarily suspended by a two-thirds vote of those members of the Council present and voting.

10.1.2 Amendments. These operating policies and procedures may be permanently amended at any meeting at which prior notice of the proposed change was provided to each member of the Council. A two-thirds vote of those members of the Council present, and voting is needed to affect an amendment or an addition to these operating policies and procedures.

Adopted by the Common Council on _____.

Mayor

ATTEST:

City Recorder

Council Operating Rules & Procedures Review

May 2, 2022



Council Operating Policies & Procedures - Context

- Rules for how the Council conducts its business
- Springfield Charter- Annual Review
- Flexibility to have Operating Policies fit the Council's needs
- Vary by Jurisdiction
- Reformatted for clarity
- Compared to LOC for content

2022 Proposed Changes – Council Vacancy

- Previous Council direction to incorporate a process into the Operating Policies
- Based on City of Medford approach and language from public meetings law
- Intended to be flexible but require a process subject to a public hearing for public transparency and feedback

2022 Proposed Changes – Hybrid Meetings

- HB 2560: Hybrid meetings are now state law
- Access: Public ability to access meetings in person and virtually
- Testimony/Address Government: In-person and virtually for both written and oral testimony
- Council Attendance: Staff assistance for remote attendance no longer necessary

2022 Proposed Changes – Council Chambers Security

- Update language to provide flexibility for providing security in Council Chambers
- Security will still be present during meetings

2022 Proposed Changes – Next Steps

- Additional direction or topics?
- Operating Policies will come back to the Council in a regular session for approval which requires a 2/3 vote majority of the Council

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Work Session
Staff Contact/Dept.: Sam Kelly-
Quattrocchi/CMO
Staff Phone No: 541.726.3713
Estimated Time: 20 Minutes
Council Goals: Provide Financially
Responsible and
Innovative Government
Services

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: MASTER FEES & CHARGES UPDATE

**ACTION
REQUESTED:** Provide guidance to staff on the FY23 update to the Master Fees and Charges
Schedule.

**ISSUE
STATEMENT:** Each year, Council and staff review existing fees and charges for appropriateness of
rates for meeting cost recovery targets. Staff has prepared the update to the fees and
charges schedule for FY23 and are requesting Council review and feedback.

ATTACHMENTS: 1: Council Briefing Memorandum
2: Draft Master Fees & Charges

**DISCUSSION/
FINANCIAL
IMPACT:** The City's schedule of fees and charges are established by Council action. Staff
consolidated past documents describing the City's various fees and the method for
making changes into a single document titled Master Fees and Charges Schedule.
This document provides an easy reference for citizens, Councilors, and staff to
identify the current fees authorized to be levied and collected by the City.

During previous work sessions, Council directed staff to update the Master Fees
and Charges Schedule using a 5.0% escalator across all fees. Staff has completed
the update process and has included the revised document, with redlines, as
Attachment 2. The Council Briefing Memorandum provides a summary of
proposed new fees and instances where the update was a variation from the
standard 5.0% increase.

Date: 5/2/2022**To:** Nancy Newton**COUNCIL****From:** Nathan Bell, Finance Director
Neil Obringer, Budget Officer
Sam Kelly-Quattrocchi, Legislative and Economic
Development Analyst**BRIEFING****Subject:** MASTER FEES & CHARGES UPDATE**MEMORANDUM**

ISSUE: Each year, Council and staff review existing fees and charges for appropriateness of rates for meeting cost recovery targets. Staff has prepared the update to the Master Fees and Charges Schedule for FY23 and are requesting Council review and feedback.

COUNCIL GOALS/**MANDATE:** Financially Responsible and Stable Government Services

BACKGROUND:

During previous work sessions, Council directed staff to update the Master Fees and Charges Schedule using a 5.0% escalator across all fees. Staff has completed the update process and has included the revised document, with redlines, as Attachment 2. The Council Briefing Memorandum provides a summary of proposed new fees and instances where the update was a variation from the standard 5.0% increase.

Staff has scheduled time during the May 16th regular session for review and adoption of the revised fee schedule. Direction received from Council during this work session will be integrated into the final draft prior to adoption.

PROPOSED ADDITIONS, DELETIONS & ADJUSTMENTS BY SECTION:

Listed below is a summary of the proposed changes to the Master Fee & Charges Schedule which fall outside of the standard 5.0% adjustment and includes new fees, removed fees, and substantial changes. Changes are listed by section and are organized by the page where they are located in Attachment 2.

Section 1 General:*Remove*

Attachment 2, Page 3 – Sale and Distribution of Tobacco and Tobacco Products License. The City has ended this program and is removing the fee from the schedule.

Adjustment

Attachment 2, Page 6 – GIS Rates (Standard). GIS Staff removed all of their fees and will instead be charging direct staff time and materials used. Currently, most requests are pointed back to the City's website where community members and businesses can download the data themselves. For the rare request that requires GIS input, staff found the current fee structure more time consuming than needed and prefer a direct cost recovery approach.

Section 2 Fire & Life Safety:

Most Fire & Life Safety fees have been left unchanged at this time as the Department is reviewing the different fee structures in Eugene and Springfield and the possibility of future adjustments in order to bring them into

closer alignment.

Section 3 Library:

Remove Fee:

Attachment 2, Page 12 – Extended Use Fee. This fee was ended earlier in the calendar year, with council support, and is being removed from the Master Fees and Charges Schedule to properly reflect that.

Section 4 Muni Court:

Remove Fee:

Attachment 2, Page 14 – Inmate Housing Fee. The City stopped imposing this fee over a decade back and this is a house-cleaning action to remove from the fee from the schedule.

Attachment 2, Page 14 – Probation Violation Fee. SB620 removed this fee. The City stopped collecting this fee on January 1, 2022.

Attachment 2, Page 15 – Setting Aside Conviction Fee. SB 397 amended ORS 137.225 and took away the ability to charge this fee.

Section 5 Police:

New Fee:

Attachment 2, Page 16 – Citations (not related to a report). This provides a new, low-cost option for citation only requests.

Attachment 2, Page 17 – Used Merchandise Reporting System Fee. The area merchandise retailers transitioned to a new software and SPD now covers these costs. It was previously managed by Eugene PD.

Remove Fee:

Attachment 2, Page 18 Dog Licenses Non-Commercial Kennel. Removed due to code updates.

Attachment 2, Page 18 – License Vietnamese Pig Unaltered and Sr. Citizen (60+) Unaltered Pig. New code requires pigs to be neutered/spayed and we no longer need an unaltered pig option.

Section 6 Building Safety:

The Standard 5.0% was applied to the Building Section of the schedule.

Section 7 Engineering:

Adjustment:

Attachment 2, Page 31 – Sidewalk Construction Permit. This fee has been historically low and does not cover the necessary staff time required. This new fee covers the average process which includes: two hours initial permit, site visit expectations, review, and approval.

Attachment 2, Page 31 – Re-Inspection Fee. New fee to be used after the initial permit expires one year later.

Section 8 Planning:

Unless stated below, all of the changes in Section 8 are due to the standard 5.0% increase or changes required to meet the new code requirements.

Adjustment:

Attachment 2, Page 36 – Postage Fee. The postage fee existed in several places across Section 8. To reduce redundancy of work, staff have combined all of the postage fees into one notice fee.

Remove Fee:

Attachment 2, Page 38 Department of Motor Vehicle Licensing Fee. This was combined with the Land Use Compatibility Statement, LUCS, as it was a section of the LUCS that did not need to be separated.

Section 9 Utilities:

Solid Waste Fees:

Updates to Sanipac’s Solid Waste Fee listed in this section is scheduled for parallel review and approval by Council in a separate work session (April 25th). Staff will seek to coordinate and have the Council approved rates included in the Master Fees & Charges Schedule when it comes back for adoption at the May 16th regular session.

Stormwater & Wastewater Rates:

Updates to the Stormwater and Wastewater rates listed in this section are scheduled for parallel review and approval by Council in a separate work session (April 25th). Staff will seek to coordinate and have the Council approved rates included in the Master Fees & Charges Schedule when it comes back for adoption at the May 16th regular session.

Section 10 SDC’s:

The Standard 5.0% was applied to the SDC Section of the schedule.

RECOMMENDED ACTION:

Provide guidance to staff on the FY23 update to the Master Fees and Charges Schedule.

Section 1: General

The following fees shall be charged for the general activities of the City:

(ORS 192.324 (4))

The Oregon Revised Statutes authorize the public body to establish fees reasonably calculated to reimburse it for its actual costs in making public records available, including costs for summarizing, compiling, or tailoring such records, either in organization or media, to meet the person's request.

Business License

(SMC 7.000) Only specific businesses are required to obtain a business license (see below). All business license applications shall be made to the City manager. If a proposed business requires a business license, the application and approval of the license shall occur prior to operation of any business requiring a business license. Each licensee shall meet the standards as described in sections 7.000 to 7.006.

See SMC 7.000 for conditions of a license

Applicable to Licenses

(SMC 7.005) Delinquent License Fees. A penalty of \$10.00 or ten percent of the license fee, whichever is greater, shall accrue for each month a business has operated without obtaining a business license.

Late Fee/Penalty Fee	10% or \$10.00 per month whichever is greater
Duplicate License (per duplicate copy)	\$5.00
Expedited Application Review	50% of application fee
A 5% Technology Fee (surcharge) will be applied when imposed or collected.	

Alarm License

(SMC 7.012, 7.024) No person shall establish, maintain or operate an alarm system, alarm business or alarm agent within the City unless a license for that use is obtained from the City. Every alarm system, alarm business or alarm agent, whether for hire or not, shall be subject to the provisions of this chapter. Fire alarms are exempt from licensing requirements.

Alarm System	Initial fee / Renewal	\$ 64.00 <u>67.00</u> / 23.00 <u>24.00</u>
Alarm Agent	Per two-year cycle	\$ 43.00 <u>45.00</u>
Alarm Business	Per year	\$ 103.00 <u>108.00</u>

Antique/Secondhand Dealer License

(SMC 7.100, 7.102) No person shall establish, maintain or operate a used merchandise dealer business within the City unless a license for that use is obtained from the City. Every place or building where a used merchandise dealer carries on, shall be deemed a used merchandise dealer subject to the provisions of sections 7.100 to 7.112.

Per year	\$ 170.00 <u>179.00</u>
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Auctioneer License

(SMC 7.122, 7.126) No person shall establish, maintain or operate as an auctioneer within the City unless a license for that use is obtained from the City. Every place or building where an auctioneer is engaged in auctioneering, whether for hire or not, shall be deemed an auctioneer subject to sections 7.120 to 7.126.

Per year	\$ 194.00 <u>204.00</u>
Per day	\$ 76.00 <u>80.00</u>

Section 1: General

Auto-Wrecker License

(SMC 7.132, 7.134) No person shall establish, maintain or operate an auto wrecking business within the City unless a license for that use is obtained from the City. Every place or building where auto wrecking is carried on, whether for hire or not, shall be deemed an auto wrecker subject to the provisions of sections 7.130 to 7.134.

Per year \$ ~~76.00~~80.00

Carnival/Circus License

(SMC 7.140, 7.146) No person shall establish, maintain or operate a carnival or circus within the City unless a license for that use is obtained from the City. Every place or building where a carnival or circus is offered, whether for hire or not, shall be deemed a carnival or circus subject to the provisions of sections 7.140 to 7.146.

Per day \$ ~~403.00~~423.00

Christmas Tree Sales Lot/Firework Sales Lot

(SMC 7.152, 7.156) No person shall establish, maintain or operate a fireworks sales lot or a Christmas tree sales lot within the City unless a license for that use is obtained from the City. Every fireworks sales lot and Christmas tree sales lot, whether for hire or not, shall be deemed a fireworks sales lot or Christmas tree sales lot subject to the provisions of sections 7.150 to 7.156.

Per year \$ ~~53.00~~56.00

Dance Hall License

(SMC 7.162, 7.168) No person shall establish, maintain or operate a dance hall within the City unless a license for that use is obtained from the City. Every place or building where a dance hall is carried on, whether for hire or not, shall be deemed a dance hall subject to the provisions of sections 7.160 to 7.168.

Initial \$ ~~194.00~~204.00

Renewal \$ ~~99.00~~104.00

Detective Agency License

(SMC 7.172, 7.180) No person shall establish, maintain or operate as a detective within the City unless a license for that use is obtained from the City. Every private detective, whether for hire or not, is considered a private detective subject to the provisions of sections 7.170 to 7.180.

3 or more employees per year \$ ~~389.00~~408.00

Less than 3 employees per year \$ ~~273.00~~287.00

Door-to-Door Solicitor License

(SMC 7.202, 7.216) No person shall establish, maintain or operate as a door-to-door solicitor within the City unless a license for that use is obtained from the City. Every door-to-door solicitor, whether for hire or not, shall be deemed a door-to-door solicitor subject to the provisions of sections 7.200 to 7.216.

Per year \$ ~~56.00~~59.00

Electrical Products License

(SMC 7.222, 7.226) No person shall offer for sale electrical products within the City unless a license for that use is obtained from the City. Every place or building where electrical products are for sale shall be subject to the provisions of sections 7.220 to 7.226.

Per year \$ ~~41.00~~43.00

Section 1: General

First-Aid Operator License

(SMC 7.242, 7.258) No person shall establish, maintain or operate as a first-aid vehicle business within the City unless a license for that use is obtained from the City. Every first-aid vehicle business, whether for hire or not, is considered a first-aid vehicle business subject to the provisions of sections 7.240 to 7.258.

Per year	\$ 259.00 <u>272.00</u>
And per vehicle	\$ 64.00 <u>67.00</u>

Garage Sales License

(SMC 7.262, 7.268) No person shall establish, maintain or operate a garage sale within the City unless a license for that use is obtained from the City. Every place or building where a garage sale is held shall be considered a garage sale subject to the provisions of sections 7.260 to 7.268.

No charge

Liquor License

(SMC 7.300, 7.304) The Oregon Liquor Control Commission requires every applicant for a license to sell spirits, wines, beers, and other alcoholic liquors to obtain a recommendation in writing from the City Council.

Initial	\$100.00
Change	\$75.00
Renewal	\$35.00
Special Liquor	\$25.00/daily

A 5% Technology Fee (surcharge) will NOT be applied when imposed or collected.

~~**Sale and Distribution of Tobacco and Tobacco Products License**~~

~~(SMC 5.300(2)) No tobacco retailer's license shall be issued or continue to be valid unless the holder has paid the fees as required by this section.~~

Initial	\$ 100.00
Renewal	\$ 64.00

Manufactured Dwelling Park License

(SMC 7.312, 7.314) No person shall establish, maintain or operate a manufactured dwelling park within the City unless a license for that use is obtained from the City. Every place or building where a manufactured dwelling park is offered, whether for hire or not, shall be considered a manufactured dwelling park subject to the provisions of sections 7.310 to 7.314.

Up to 25 spaces	per year	\$ 33.00 <u>35.00</u>
26-50 spaces	per year	\$ 64.00 <u>67.00</u>
51-75 spaces	per year	\$ 94.00 <u>99.00</u>
76-100 spaces	per year	\$ 120.00 <u>126.00</u>
Over 100 spaces	per year	\$ 1.40 <u>1.47</u> per space

Section 1: General

Medical Marijuana Dispensaries

(SMC 7.602) No person shall establish, maintain or operate a dispensary within the City unless a license for that use is obtained from the City. Every place or building where a dispensary is carried on, whether for profit or not, shall be deemed a dispensary subject to the provisions of sections 7.600 to 7.603.

Per year \$ ~~873.00~~917.00

Pool/Billiard Room License

(SMC 7.322, 7.326) No person shall establish, maintain or operate pool rooms and billiard rooms within the City unless a license for that use obtained from the City. Every place or building where pool rooms and billiard rooms are offered, whether for hire or not, shall be deemed a pool room or billiard room subject to the provisions of sections 7.320 to 7.326.

	Base fee	per year	\$ 64.00 <u>67.00</u>
Plus:	First table	per year	\$ 28.00 <u>29.00</u>
	Second table	per year	\$ 25.00 <u>26.00</u>
	Third table	per year	\$ 20.00 <u>21.00</u>
	Fourth table	per year	\$ 12.00 <u>13.00</u>
	Each table thereafter	per year	\$ <u>6.00</u>

Public Passenger License (Issued by City of Eugene)

(SMC 7.332) No person or business may operate a public passenger vehicle company without a public passenger vehicle company license; however, an unlicensed public passenger vehicle operating outside the jurisdictional limits of Eugene and Springfield may deliver a fare from outside those limits to a location within the limits, if the vehicle waits for the person and retrieves the person for the return trip back outside the jurisdictional limits. No unlicensed public passenger vehicle company may solicit or accept any passenger within the City limits except as provided in this subsection.

Recreational Marijuana Dispensaries

(SMC 7.602) No person shall establish, maintain or operate a dispensary within the City unless a license for that use is obtained from the City. Every place or building where a dispensary is carried on, whether for profit or not, shall be deemed a dispensary subject to the provisions of sections 7.600 to 7.603.

Per year \$ ~~2330.00~~2447.00

Rentals License

(SMC 7.342, 7.344) No person shall establish, maintain or operate a rental property within the City unless a license for that use is obtained. Every place or building where rentals are offered, whether for hire or not, shall be deemed a rental property subject to the provisions of sections 7.340 to 7.346.

Starts at four-plex and above per unit \$ ~~20.00~~21.00

Shooting Area License

(SMC 7.352, 7.358) An applicant for a shooting area business license shall apply to the Development and Public Works Department prior to opening a shooting area facility. See sections 7.350 to 7.358 for conditions of operation.

Per year \$ ~~155.00~~163.00

Section 1: General

Social Games

(SMC 5.254) (1) Social Games Prohibited/Exception. "Social games," as defined in ORS 167.117 are prohibited within the corporate limits of the City of Springfield, except:

(a) Social games between players in private homes or social games conducted by charitable, fraternal, religious or non-profit organizations where no house player, house bank or house odds exist and there is no house income; and

(b) Pursuant to SMC section 5.258, The Springfield Social Gaming Code/Texas Holdem Poker Card Tournament.

(2) "Non-Profit Organization" Defined. For the purpose of this section, "non-profit organization" means any person organized and existing for charitable, benevolent, eleemosynary, humane, philanthropic, educational, civic or other non-profit purposes. The fact that an organization does qualify for charitable deduction for tax purposes or that organization is otherwise exempted from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, constitutes prima facie evidence that the organization is a non-profit organization.

(3) "House" Defined. Includes owner of business, private club, or place of public accommodation, and owner's spouse, children of owner or spouse, owner's brothers, sisters, or parents, or a business in which one of the foregoing named individual is associated. A license for the house is required by section 5.258(3) of this code.

(4) "Tournament Organizer" Defined. A person other than the house who organizes the tournament, including but not limited to provision of poker chips and playing cards. A license for the tournament organizer is required by section 5.258(3) of this code.

(5) The offenses specified in subsections (1), (2), (3) and (4) are punishable as violations and may include a fine not exceeding \$720.00 pursuant to SMC section 1.205.

Per year \$ ~~128.00~~134.00

Sound Truck/Car License

(SMC 7.362, 7.364) No person shall establish, maintain or operate a sound truck or car within the City unless a license for that use is obtained from the City. Every vehicle used as a sound truck or car, whether for hire or not, is considered a sound truck or car subject to the provisions of sections 7.360 to 7.364.

Per year \$ ~~64.00~~67.00

Per day \$ 7.00

Special Event License

(SMC 7.402, 7.404) (1) No person shall establish, maintain or operate a special event within the City unless a license for that use is obtained from the City. Every place or building where a special event is held, whether for hire or not, is considered a special event subject to the provisions of sections 7.400 to 7.422.

(2) If the special event is to include a parade, as that term is defined in section 6.505, then a parade permit shall also be obtained from the Springfield Police Department. The City may require other licenses or permits if the special event will include other activities requiring permits or licenses under the applicable sections of the Springfield code. The need for other permits shall be determined by the City during the departmental review process under section 7.406.

(3) The granting of a special event license shall not relieve any person of the responsibility to satisfy all code requirements respecting the manner in which the special event is conducted.

Per application \$ ~~167.00~~175.00

Event with liquor \$ ~~167.00~~175.00 (plus tech fee) + \$25.00 (no tech fee)

5% Technology Fee (surcharge) will NOT be applied when imposed or collected, for the liquor fee.

Section 1: General

Transient Merchant License

(SMC 7.472, 7.476) No person shall establish, maintain or operate as a transient merchant within the City unless a license for that use is obtained from the City. Every transient merchant, whether for hire or not, is considered a transient merchant subject to the provisions of sections 7.470 to 7.476.

Per day \$ ~~20.00~~21.00

Transient Merchant Food Cart License

(SMC 7.474, 7.810) Transient merchants operating food carts, also known as “mobile units” as defined by ORS 624.310(8), may be allowed only on property that is zoned CC – Community Commercial, MRC – Major Retail Commercial, MUC – Mixed Used Commercial, MUE - Mixed Use Employment, HI - Heavy Industrial, LMI - Light/Medium Industrial, CI – Campus Industrial and PLO – Public Land and Open Space.

Per year \$ ~~42.00~~44.00

Vending on City Streets

(SMC 7.802, 7.808) No person shall establish, maintain or operate as a vendor within the City unless a license for that use is obtained from the City. Every person operating as a vendor shall be deemed a vendor on City streets subject to the provisions of sections 7.800 to 7.808.

No charge.

Other General Fees

GIS Rates (Standard)

(Intergovernmental Agreement with Lane Council of Governments per ORS 190.050 providing authorization to impose and collect reasonable fees based on market prices or competitive bids for geographic data that have commercial value and are an entire formula, pattern, compilation, program, device, method, technique, process, database or system developed with a significant expenditure of public funds.)

Planimetrics	Hourly rate (1 hour minimum)	\$74.00
	Up to 50 acres	\$103.00
	Charge per additional acre above 50	\$2.04
	Charge per map sheet (approx. 138 acres)	\$312.00
	Charge per square mile (640 acres)	\$1447.00
	Plus time in excess of 1 hour	\$67.00/per hour
Half foot Orthophotography	Hourly rate	\$74.00
	One image	\$46.00
	Charge per additional image	\$46.00
	Plus hourly rate	\$67.00
Plot Requests	Standard City Maps (without Orthos)	\$56.00
	Standard City Maps (with Orthos)	\$62.00
	Custom Plot Request: Plot Compilation and Plotting Charge/per hour	\$74.00
	Custom Plot Request: Copy of a Completed Plot/per linear foot	\$7.10
GIS Analysis	Staff Time + Cost of Materials	

A 5% Technology Fee (surcharge) will be applied when imposed or collected.

Technology Fee

(Resolution 11-24) The Technology Fee is applied to the specific charges and fees identified in the above-named fee schedules when collected or imposed.

Five percent of specific development-related charges and fees in the Building Safety Code Fee Schedule, the Master Schedule of Rates, Permits, Licenses and Other Fees and Charges in the Municipal Code, and the Master Schedule of Miscellaneous Fees and Charges, Rates and Licenses.

City Hall Meeting Room Rates (Standard)

The City of Springfield City Hall public meeting rooms (City Hall Lobby, Library Meeting Room, Jesse Maine Room and Meeting Room 3) are available for the community to use. However, to ensure availability of the rooms for City business, room usage shall be prioritized as follows:

1. City Council meeting or functions
2. Other City departments, including City Council advisory committees
3. Other public agencies
4. Other community organizations and groups
5. Special events

All meetings conducted in the meeting rooms must be open to the public. Priority categories 1, 2 and 3 may be subject to the requirements of the Oregon Public Meeting Law, ORS 192.610 - 192.690 and may bump lower category events. All priority categories are available without regard to any distinction, discrimination, or restriction on account of race, color, religion, sex, sexual orientation, age, marital status, disability, or national origin. No fees, dues or donations may be charged or solicited for any program or meeting held at City Hall. Rooms may be scheduled by the public if not in use for one of these other priority functions.

Springfield’s Administrative Regulation #2 - City Hall Building Policy requires: “A fee for City Hall security shall be charged for the time a meeting or event extends beyond normally scheduled business hours (prior approval is required).” This fee covers staffing expenses related to keeping the building open and secure outside of normal operating hours.

Room usage during operating hours	Per hour \$35.00
Room usage outside of operating hours or for profit groups	Per hour \$50.00

Downtown Parking Program

(Resolution 2015-13)

Lot Name	ASSET TYPE	MONTHLY PER UNIT RATE/FEE
City Hall North	Premium Permit Parking Lot	\$30.00
City Hall South	Premium Permit Parking Lot	\$30.00
Main Street	Premium Permit Parking Lot	\$30.00
7 th Street Pocket	Non-Premium Permit Parking Lot	\$15.00
Justice	Non-Premium Permit Parking Lot	\$15.00
Pioneer East	Non-Premium Permit Parking Lot	\$15.00
Zone B On-Street	On-Street Permit Zone	\$10.00

Lot Name	ASSET TYPE	ANNUALLY PER UNIT RATE/FEE
Residential Permit	Residential Permit Zone, Zone A & B	\$20.00

Violation of Posted Parking Restrictions

Section 1: General

Per Citation

\$ 16.00

Public Records Fees

(ORS 192.324(4))

Oregon Revised Statutes authorizes the public body to establish fees reasonably calculated to reimburse it for its actual costs in making public records available, including costs for summarizing, compiling or tailoring such records, either in organization or media, to meet the person's request.

Photocopy Charge Citywide

(noted exceptions are Development and Public Works, Fire and Life Safety, Library, Police reports.)

No charge for first 5 pages or first half-hour of research time.

Thereafter

\$0.15/page

Plus actual cost of City staff time and materials required to complete the request.

Section 2: Fire and Life Safety

The following fees shall be charged for the Fire & Life Safety activities of the City:

Ambulance & Emergency Services User Fees

(Fire Code and City of Springfield resolutions)

Emergency and Non-Emergency Transport Rates

Base Rate	\$1,859.00
Base Rate (non-resident)*	\$2,079.00
*Live outside the Springfield Fire & Life Safety first-in response area	
Mileage Rate (per patient mile)**	\$24.18
**Pro-rated for multiple patients transported in same medic unit	

Sit-Up Patients

Base Rate	\$929.50
Base Rate (non-resident)	\$1,039.50
Mileage Rate (per patient mile)	\$24.18

Aid Call

Base Rate	\$929.50
Base Rate (non-resident)	\$1,039.50

Helicopter Calls

Helicopter Transport Actual Vendor Charge
 In addition to helicopter and pilot direct vendor charges, base rate and mileage charges will apply if transported by paramedic ambulance to helicopter location for further transport.

Other EMS Fees

Waiting Time (first ½ hour)	No Charge
Waiting Time (per ½ hour, after first ½ hour)	\$68.25
Extra Attendant	\$84.00
Ambulance Stand-by (per hour; 2 hour minimum)	\$172.00
Stand-by On Scene Coordinator (per hour)	\$68.25

FireMed Memberships

Regular membership, per household, per year	\$ 68 5.00
Job Care membership, per household, per year	\$ 63 0.00

Fire Marshal’s Office Fees

(Springfield Fire Code)

Fire Department New Construction Square Footage Fees

Residential Square Footage	\$0.07/per sq. ft.
Commercial Square Footage	\$0.12/per sq. ft.

Applies to each square foot created requiring a building permit. Example: 1,550 sq. ft. house x \$0.07 = \$108.00.

Fees will be collected by the Development and Public Works department at issuance of the building permit as an additional fee.

Operational Permit Fees

Fee for occupancies requiring:

Annual Hazardous Materials Operational Annual	\$450.00 per permit
Other Operational Permits)	\$450.00 per permit
Annual Exhibition/Trade Show Operational Permit	\$600.00 per permit

The following exceptions shall apply:

105.6.9	Covered and Open Mall Buildings (annual)	\$450.00 per permit
105.6.26	Liquid or Gas-Fueled Vehicles or Equipment in Assembly Buildings	\$240.00 per permit
105.6.30	Mobile food preparation vehicles (annual)	\$179.00 per permit
105.6.33	Places of Temporary Assembly	\$240.00 per permit
105.6.38	Plant Extraction Systems (annual)	\$179.00 per permit
105.6.47	Temporary Membrane Structures and Tents	\$240.00 per permit
105.6.48	Performances with Fire	\$240.00 per permit

Operational permits may require additional processing and inspection time. An hourly rate of \$110.00 per hour will be assessed if additional time is necessary to achieve compliance with permit requirements.

Licensed Facility Inspection Fees

Fire Code compliance inspections are required as a condition of State licensing for various types of licensed facilities. Fees will be charged based on occupancy type as follows:

Flat Rate					
Occupancy Type	Inspection	Per hour after 2 hrs	1 st Re-inspection	2 nd Re-inspection	OT Rate per hour
B, E	\$208	\$110	Included	\$110	\$128
I	425	110	Included	110	128
SR	425	110	Included	110	128

Mobile Emergency Responder Radio Coverage Program (MERRC)

0 to 50,000 sq.ft.	\$0.50/per sq.ft.
Additional sq. ft. from 50,001 to 100,000	\$0.30/per sq.ft.
Additional sq. ft. exceeding 100,000	\$0.10/per sq.ft.

General Fees

Fire First Responder Fee (Ground Emergency Medical Transport – GEMT)

The First Responder rates may be used whenever the Fire Department arrives at a location and provides assessment or treatment to the patient who, subsequent to treatment, is transported by ambulance to a health care facility. The fee may be waived if the Fire Chief or the Fire Chief’s designee determines that payment of the fee would cause financial hardship to the patient.

\$345 per service

Motor Vehicle Accident (MVA) First Response Fees

Fee applies when a fire engine company responds to a motor vehicle accident involving medical or rescue response. Only applies to residents outside the Springfield Fire & Life Safety First-In Response Area. FireMed eligible.

Fire engine company response to motor-vehicle accident \$480.00

Classes

CPR Training (non-FireMed member) \$40.00
 CPR Training (FireMed member) \$15.00

Photocopy Charges

(ORS 192.563) Oregon Revised Statutes authorize a healthcare provider that receives authorization to disclose protected health information (PHI) to be reimbursed according to the statute’s fee schedule. Therefore, the following photocopy charges apply:

Up to 10 pages \$14.00
 Pages 11-50 \$0.50 per page
 Each page over 50 pages \$0.25 per page
 Postage costs to mail PHI Actual cost
 Preparation of summary of PHI (requested by individual) Actual cost

(ORS 192.324(4)) Oregon Revised Statutes authorize the public body to establish fees reasonably calculated to reimburse it for its actual costs in making such records available, including costs for summarizing, compiling or tailoring such records, either in organization or media, to meet the person’s request. The following charges apply:

Fire Reports per report \$13.00
 Other Reports or Documents No Charge for first 5 pages
 Thereafter \$0.15 per page

Plus actual cost of City staff time and materials required to complete the request.

Section 3: Library Services

The following fees shall be charged for the Library services of the City.

General Fees

(ORS 357.490 & 192.324)

(SMC 2.462) Any and all fines and penalties received by the library in pursuance of the rules and regulations to be reviewed and recommended by the library board shall be collected by the library director and delivered to the City finance director at reasonable intervals.

Non-Resident Fee for Library Card	\$95.00 per year
	\$53.00 per six months
	\$27.00 per three months

Replacement Library Card	\$3.00
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~~Extended Use Fee~~

DVDs & Video Games	\$.25 per item per day
	maximum of \$5.00 per item

All Other Items	\$0.25 per day per item,
	maximum of \$5.00 per item

Replacement Fee	Replacement of lost or damaged item – list price of item
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Processing Fee	May be charged \$5.25 processing fee for lost or damaged items
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Interlibrary Loans	\$5.00 per item
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Re-Shelving Fee	
Unclaimed Hold	\$1.00 each
Unclaimed Interlibrary Loan	\$1.00 each

Photocopy Charge	\$0.15 per copy (coin operated)
	\$0.50 per color copy (coin operated)

Printing Fee	\$0.15 per page from public computers
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Computer Use Card day limit	\$2.00 per day, one 2hour card per
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Digital Card	\$60.00/year, \$5.00/month
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Section 4: Municipal Court

The following fees shall be charged for the Municipal Court activities of the City.

General Fees

Copy Fee

Case File (current)	108.00
Case File (archived)	154.00
Miscellaneous:	\$0.25/page

Certified Copies

ORS 192.324 (4) authorizes the public body to establish fees reasonably calculated to reimburse it for its actual costs in making public records available, including costs for summarizing, compiling, or tailoring such records, either in organization or media, to meet the person's request. ORS 194.324 establishes the authority to charge notary fees.

Case file	\$210.00
Miscellaneous - first 4 pages	\$210.00
each page thereafter	\$3.00

Collection Fees

ORS 137.118 provides the authority to charge and stipulates the maximum fee allowed to be 25% but not to exceed \$250.00. A municipal, justice, district, circuit court to recoup the cost of collection action made necessary by the failure of judgment debtors in criminal actions to pay timely deferred payment agreements. Fee is to be assessed when payment is delinquent. Fee assessment is not dependent upon assignment to a collection agency.

25% but not to exceed	\$250.00
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Conviction Fee

City Council Resolution. Whenever the court forfeits money or imposes a sentence of a fine, including a sentence imposed and thereafter suspended, excluding parking violations, a fee in addition to such sentence shall be collected. The fee is not part of the penalty or in lieu of any part thereof but is included in the monetary judgment. The court is not required to impose the fee if it finds that the defendant is indigent or that imposition of the assessment would constitute an undue hardship. Payment to the court shall not be credited to the fee pursuant to ORS 137.295 until after crediting payments to statutorily mandated fees.

Fee per case	\$334.00
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Court Appointed Attorney Fee

ORS 151.505 and ORS 161.665 provide the authority to collect and pay. Fee covers cost of appointing, financial processing and actual attorney cost

Fee per case	\$11005.00
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Deferred Prosecution Diversion Fee (non-DUII)

ORS 135.881 and ORS 161.665. Determined by the Judge and/or City Prosecutor on a case by case basis but generally:

Fee per misdemeanor case: \$370.00
 Fee per violation case: \$65.00

DUII Diversion Agreement Administrative Fee

ORS 813.240 (b) provides the authority to collect and pay.

Fee per Case: \$200.00

~~**Inmate Housing Fee**~~

~~(Determined by sentencing judge, Resolution 09-15, ORS 169.151, ORS 137.540(1))~~

~~Up to: Per Case, Per Day \$65.00~~

Non-Sufficient Funds Fee

Fee per case/check \$320.00

Payment Agreement Fee

(ORS 1.202) Authorizes fee for establishing and administering account for judgment that includes monetary obligation; fee for judgment.

For revision to existing violation or misdemeanor payment agreement \$320.00

Each payment agreement re-issued as a result of Delinquent action of any kind \$630.00

Electronic Notification Fee

Cost recovery fee for automated electronic (robo calls, text, email) notifications; generally on case(s) to warn of pending formal non-compliance court action.

Fee per automated call launched: \$76.00

~~**Probation Court Supervision Case Administration Fee**~~

~~Court administrative fee for maintaining and processing court case files. To include costs of maintenance of physical files and technology costs for storage of electronic files and data. (ORS 137.540) The court may sentence the defendant to probation, which shall be subject to the following general conditions unless specifically deleted by the court. The probationer shall pay supervision fees, fines, restitution or other fees ordered by the court. Does not apply to DUII or Deferred Prosecutions Diversion Cases.~~

~~\$1050.00~~

~~**Probation Violation Fee**~~

~~(ORS 137.540) The court may sentence the defendant to probation, which shall be subject to the following general conditions unless specifically deleted by the court. The probationer shall: (a) pay supervision fees, fines, restitution or other fees ordered by the court. Fee will apply on any DUII Diversion or Deferred Prosecution Diversion cases. Fee may be waived at the discretion of the Judge.~~

~~Show Cause: one issue only or first proceedings: generally \$25.00~~

~~Show Cause; multiple issue or prior probation violation proceeding; generally
Per Order \$50.00~~

Re-Open Fee

Fee to reopen a case; to include costs to retrieve case, process documents for DMV to recall abstracts or retrieve disposition sheets.

Fee per case \$~~4038~~.00

Security Releases

(ORS 135.265) Oregon Revised Statute sets the fee at 15% of Security amount

Of fee	15%
But not less than	\$5.00
Or more than	\$200.00

Special Computer Reports

(ORS 192.324) Oregon Revised Statute authorizes the public body to establish fees reasonably calculated to reimburse it for its actual costs in making such records available including costs for summarizing, compiling, or tailoring such records, either in organization or media, to meet the person’s request.

Fee per hour general reports (with minimum of \$30.00)	\$ 3837 .00
Special programming or customized reports	\$ 3837 .00

Suspension Fee

(ORS 809.267) Fee for any case where the Court gives notice to DMV of the suspension or restriction of a defendant’s driving privileges.

Fee per case \$15.00

Traffic Safety Education Program Fee

Fee to process and monitor cases assigned to the program for compliance. Fee amount is determined by Class of offense. (Class A violations are not eligible for the program.)

Fee per case	
Class D	\$50.00
Class C	\$80.00
Class B	\$150.00

Warrant Fee

(ORS 161.665) Fee for costs specially incurred in prosecuting a defendant for whom the Court enters a judgment of conviction.

Fee per case \$~~7066~~.00

Wedding Ceremony Fee

Fee for a Judge to perform a wedding ceremony at the Court; to include court staff time to process marriage license and file with county records.

Fee per wedding \$~~1182~~.00

~~Setting Aside Conviction Fee~~

~~(ORS 137.225 & 21.135) Administrative fee for filing a request to set aside a conviction.~~

~~Fee per police case number \$265.00~~

Section 5: Police

The following fees shall be charged for the Police activities of the City:

Police Reports

Photocopies

First 4 pages	\$14.00 <u>\$13.00</u>
Each page thereafter	\$1.00

CAD Reports

Each report	\$5.00
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<u>Citations (not related to a report)</u>	<u>Each citation</u>	<u>\$5.00</u>
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Certified Copies

First 4 pages	\$14.00 <u>\$13.00</u>
Each page thereafter	\$1.00

Name or Address Search

Each search per name or address	\$14.00 <u>\$13.00</u>
Search includes staff time up to 15 minutes, Over 15 minutes will be charged at Special Computer Reports rate.	

Criminal History Requests

One original	\$14.00 <u>\$13.00</u>
For first 4	\$5.00
Plus each additional	\$1.00
Notarized original	\$18.00 <u>\$19.00</u>
Each additional original	\$1.00

False Alarm Fee

(SMC 7.026) Three or more false alarms, within a 365-day period, whether the result of equipment malfunction or user error, shall constitute an infraction in the municipal court. If convicted by a preponderance of the evidence, the court may impose a fine not to exceed \$500.

Per third false alarm	\$500.00
Per alarm after within 365 days	\$500.00

Military Police Record Checks

No charge

Microfilm Reports

First 4 pages	\$19.00 <u>\$18.00</u>
Each page thereafter	\$1.00

Non-Sufficient Funds Fee	30.00 <u>\$31.50</u>
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Photographs

Actual cost with \$5.00 minimum

Special Computer Reports

Section 5: Police

Per hour \$~~3941~~.00 with \$~~3941~~.00 minimum

Video/Telephone/Radio Requests \$41.00 with \$41.00 minimum~~\$39.00 per hour with \$39.00 minimum~~

Body Worn Camera/In-Car Video Footage **No charge for first 1/2 hour
Then actual cost of staff time
Plus materials and outsourced services**

Misc. Photocopies

First 5 pages No charge
6 pages and more, plus research time \$0.25 per page

Used Merchandise Reporting System Fee
[Refer to SMC 7.104\(SMC7.104\)](#)

<u>Annual Transactions Per Store</u>	<u>Annual Charge Per Store</u>
<u>>3,000</u>	<u>\$525</u>
<u>1,000-2,999</u>	<u>\$420</u>
<u>300-999</u>	<u>\$315</u>
<u><300</u>	<u>\$0</u>

Vehicle Impound Recovery \$~~137144~~.00

Vehicle Storage Fee (City owned facility) Per day \$~~2021~~.00
Fees imposed after notification and 30 day grace period.

Warrant Fee \$~~68.00~~71.00
(Criminal Code 161.665)

Dog Licenses

(SMC 5.426 (3)) Fees. Dog license fees are due and payable upon the issuance of licenses. Fees shall be determined by Council resolution. The types of licenses/fees required to be paid under the provisions of this code shall be as follows:

- (a) Dog License Fee—General.
- (b) Dog License Fee—Neutered. Dog keepers applying for this reduced fee must present a certificate from a licensed veterinarian stating that the dog to be licensed has been neutered.
- (c) Dog License Fee—Keepers, 60 Years of Age or Older. Dog owners applying for this reduced fee must present proper proof of age as well as proof of rabies vaccination for the dog to be licensed.
- (d) Duplicate License.
- (e) Commercial Kennel.
- (f) Impoundment.
- (g) Daily Care.
- (h) Watchdog.
- (i) Permits.

Section 5: Police

	1 yr	2yr	3yr
Unaltered Dog	\$3840	\$5962	\$7478
Neutered Dog	\$1516	\$2728	\$3840
Sr. Citizen(60+) Unaltered Dog	\$3840	\$5962	\$7478
Sr. Citizen Neutered Dog	\$10	\$1819	\$2728
Non-Commercial Kennel	\$267		
Watchdog	\$ 27-28 + above license fee		

License Vietnamese Pig

(SMC 5.426 (6))

- (a) Every keeper of a Vietnamese Pig as set forth in section 5.416 shall obtain a license for the pig. In order to obtain the license, the owner or keeper shall submit to the City the veterinarian's certificate specified in section 5.416(2)(b). The license fee shall be the same as a license fee for a dog as specified in subsection (3).
- (b) Licenses shall be valid for one year from the date of issuance or until the sale or gift of the pig, whichever first occurs.
- (c) Pig keepers shall renew the pig license before it becomes delinquent for as long as they keep or harbor the pig.
- (d) A license tag issued to a pig keeper shall be attached securely to a collar or harness of the pig for which it was issued. In addition to a collar or license, a microchip identification shall be utilized. If a license tag is lost, the keeper may obtain a duplicate license tag upon satisfactory proof of loss and payment of the required fee.
- (e) Failure to comply with any term or requirement of section 5.416 or this section by a pig keeper is punishable as a violation and may include a fine not exceeding \$720.00 pursuant to SMC section 1.205.
- (f) In the event that the keeper or the individual designated in section 5.416(2)(e) is unavailable and short term housing for the pig is required, the keeper shall be responsible for such short term housing and food costs and shall reimburse the City or City's designee for all costs expended. [Section 5.426 amended by Ordinance No. 5902, enacted December 7, 1998; further amended by Ordinance No. 6169, enacted May 15, 2006; further amended by Ordinance No. 6271, enacted July 18, 2011.]

	1yr	2yr	3yr
Unaltered	\$38	\$59	\$74
Neutered	\$1516	\$2728	\$3840
Sr. Citizens (60+) Unaltered	\$38	\$59	\$74
Sr. Citizens Neutered	\$10	\$1819	\$2728

Research requests or other record not listed

**No charge for first 1/2 hour
Then actual cost of staff time
Plus materials and outsourced services**

Section 6: Building and Safety Fees

The following fees shall be charged for the Building and Safety activities of the City:

Technology Fee: All applications/permits/fees will be assessed a 5% technology fee.

Building Permits

(ORS ~~4558~~.447)

Structural, Commercial, Mechanical and Plumbing Permit Fees (where applicable)

Table No. 3-A

TOTAL VALUE		Fee
\$1.00 - \$2,000		\$ 1094 .00
\$2,001 - \$25,000	for the first \$2,000 in value	\$ 1094 .00
	plus for each additional \$1000 or fraction thereof.	\$ 13 . 3195
\$25,001 - \$50,000	for the first \$25,000 in value	\$ 409.75431 . 50
	plus for each additional \$1,000 or fraction thereof	\$ 9.9810 . 47
\$50,001 - \$100,000	for the first \$50,000 in value	\$ 659.38692 . 00
	plus for each additional \$1,000 or fraction thereof	\$ 6.656 . 97
\$100,001 and Up	for the first \$100,000 in value	\$ 992.121041 . 00
	plus for each additional \$1,000 or portion thereof	\$ 5.5583

In addition to the Building Permit Fee, the Plan Check Fee shall be 65% of the Building Permit fee.

Fire & Life Safety Plan Review When Required 65% of Building Permit Fee

Solar Permits

Prescriptive Photovoltaic - Installations in compliance with section 305.4 of the Oregon Solar Installation Specialty Code; includes plan review \$ ~~18619.005~~.~~25~~

Non-Prescriptive Photovoltaic - All other installations based on valuation of the structural elements for the solar panels, including racking, mounting elements, rails, and the cost of labor to install use Table 3-A

Residential Fire Suppression – 13R Standalone Systems (includes plan review)

1 – 2,000 sq. ft.	\$ 2342.0047 . 25
2,001 – 3,600 sq. ft.	\$ 292306 . 00
3,601 – 7,200 sq. ft.	\$ 378397 . 00
7,201 sq. ft. and greater	\$ 479503 . 00

For the purpose of defraying the cost of applying regulations as provided in ORS ~~4558~~.447, a surcharge of 1% of the structural and/or mechanical permit fee collected for essential, hazardous, major and special occupancy structures shall be collected.

To the above fees, please add 12% State Surcharge.

Electrical Permits

Table No. 3-B

<u>Description</u>	<u>Fee</u>
Residence New 1&2 Family Dwelling wiring less than 1,000 square feet	\$ 189.19 800
Each additional 500 sq.ft. or portion thereof	\$ 3739.00
New Multifamily Construction	Fee for largest unit calculated using above Square footage rates, plus 50% of permit fee for each additional unit
Manufactured Home or Modular Dwelling (Service or Feeder)	\$ 9094.50.00
Temporary Power – 200 amps or less	\$ 9094.50.00
Temporary Power – 201 to 400 amps	\$ 124130.00
Temporary Power – 401 to 600 amps	\$ 180189.00
Temporary Power – 601 to 1000 amps	\$ 238.00 250.00
Temporary Power – 1001 or more amps or volts	\$ 547.00 574.00
Permanent Service or Feeder – 200 amps or less	\$ 114.00 120.00
Permanent Service or Feeder – 201 to 400 amps	\$ 133.00 140.00
Permanent Service or Feeder – 401 to 600 amps	\$ 225.00 236.00
Permanent Service or Feeder – 601 to 999 amps	\$ 290.00 304.50
Permanent Service or Feeder – 1000 amps or volts	\$ 664.00 697.00
Electrical Service Reconnection with no changes to existing service size	\$ 9094.50.00
Branch Circuits	
-Without service or feeder fee – first branch	\$ 9094.50.00
-With service or feeder fee – each branch circuit	\$ 8.00 8.40
-Each Additional Branch Circuit	\$ 8.00 8.40
Each Irrigation Pump	\$ 9094.50.00
Each Electrical Sign or Outline Lighting	\$ 9094.50.00
Each Signal Panel	\$ 9094.50.00
Limited Energy – Residential	\$ 45.00 47.25
Limited Energy – Multi Family per floor	\$ 45.00 47.25
Limited Energy – Multi Family protective signaling per floor	\$ 45.00 47.25
Limited Energy – Commercial	\$ 104.00 109.00
Inspections not covered by this schedule minimum 1 hour	\$ 104.00 109.00
Re-inspection Fee/each	\$ 104.00 109.00
Inspections Outside Normal Business Hours minimum 1 hour	\$ 123.00 24.00
Minimum Permit Fee - Electrical	\$ 104.00 109.00
Electrical Investigation Fee/hour	\$ 104.00 109.00
Inspections For Which No Fee is Specifically Indicated/hour	\$ 104.00 109.00
Electrical Plan Review	25% of Permit Fee
Renewable Energy Systems	
5 KVA or Less	\$ 134.00 140.70
5.01 to 15 KVA	\$ 175.00 183.75
15.01 to 25 KVA	\$ 221 232.00
Over 25 KVA:	
Solar Generation Systems	\$ 221.00+ \$12.00 for each additional KVA Not to exceed \$ 1,145.00 1202.00

Section 6: Building and Safety Fees

Wind Generation Systems:

25.01 to 50 KVA	\$ 279 293.00
50.01 to 100 KVA	\$ 559 587.00
Over 100 KVA	

Calculated based on Service or Feeder sizes and Branch Circuits

To the above fees, please add 12% State Surcharge.

Mechanical Permits (Residential)

Mechanical Permit Fees

Table No. 3-D

<u>Description</u>	<u>Fee</u>
Minimum Permit Fee	\$ 104.00 109.00
HVAC	
Up to 100,000 BTU	\$ 23.00 24.00
More than 100,000 BTU	\$ 26.00 27.00
Unit Heater	\$ 23.00 24.00
Boiler/Compressor	
Up to 100,000 BTU	\$ 23.00 24.00
3-15 Horsepower or 100,001 – 500,000 BTU	\$ 55 58.0000
Over 15 to 30 Horsepower or 500,001 – 999,000 BTU	\$ 65.00 68.00
Over 30 to 50 Horsepower or 1,000,000 – 1,750,000 BTU	\$ 79.00 83.00
Over 50 Horsepower or over 1,750,001 BTU	\$ 134.00 140.70
Air Handling Unit	
Up to 10,000 CFM	\$ 35.00 37.00
10,001 CFM and over	\$ 45.00 47.25
Evaporative Cooler/Fan	\$ 30.00 31.50
Vents	
Hood and Exhaust	\$ 30.00 31.50
Vent Fan to One Duct	\$ 20.00 21.00
Appliance Vent	\$ 20.00 21.00
Gas Piping	
Each Piping System 1-4 Outlets	\$ 15.00 15.75
Each Outlet over 4	\$ 5.00 5.25
LP Gas Tank and Piping	\$ 45.00 47.25
Miscellaneous	
Domestic Incinerator	\$ 45.00 47.25
Commercial Incinerator	\$ 107.00 109.00
Wood/Pellet Stove	\$ 55 58.0000
Heat Pump	\$ 45.00 47.25
Each Appliance Not Listed on this Schedule	\$ 30.00 31.50
Inspections Not Covered by this Schedule/hour	\$ 104.00 109.00
Re-inspection Fee/each	\$ 104.00 109.00
Inspections Outside Normal Business Hours minimum 1 hour	\$ 123.00 24.00
Mechanical Investigation Fee/hour	\$ 104.00 109.00
Hourly Inspection Fee for Requests Not In Permit Tables/hour	\$ 104.00 109.00

Section 6: Building and Safety Fees

Mechanical Plan Review Fee	25% of Permit Fee
Commercial/Industrial/Public Mechanical System including installation costs	Value based, See Table 3-A

To the above fees, please add 12% State Surcharge.

For the purpose of defraying the cost of applying regulations as provided in ORS 455.447, a surcharge of 1% to the structural and/or mechanical permit fees collected for essential, hazardous, major and special occupancy structures shall be collected.

Plumbing Permits

Plumbing Permit Fees

Table No. 3-C

Fees for the construction, alteration, or repair of plumbing shall be calculated as described below. One- or two-family new construction fees include one kitchen and up to 100 feet each of water, sewer, and storm lines.

One- or two-family new construction with one kitchen and one bath	\$ 338.00 <u>355.00</u>
One- or two-family new construction with one kitchen and two bath	\$ 529.00 <u>555.00</u>
One- or two-family new construction with one kitchen and three bath	\$ 623.00 <u>654.00</u>
One- or two-family new construction - Each Additional Bath, ½ bath counted as full	\$ 134.00 <u>140.70</u>
One- or two-family new construction - Each Additional Kitchen	\$ 134.00 <u>140.70</u>
Single Plumbing Fixture/each	\$ 25.00 <u>26.25</u>
Sanitary Sewer:	
For the first 100 feet of line	\$ 108.00 <u>113.00</u>
Each additional 100 feet of line or portion	\$ 25.00 <u>26.25</u>
Water Service:	
First 100 feet of line	\$ 108.00 <u>113.00</u>
Each additional 100 feet of line or portion	\$ 25.00 <u>26.25</u>
Storm and Rain Drain:	
First 100 feet of line	\$ 108.00 <u>113.00</u>
Each additional 100 feet of line or portion	\$ 25.00 <u>26.25</u>
Sewage Ejector Pump/each	\$ 25.00 <u>26.25</u>
Special Waste Connection/each	\$ 25.00 <u>26.25</u>
Manufactured Home hook up on improved lot	\$ 104.00 <u>109.00</u>
Backflow Prevention Device/each	\$ 25.00 <u>26.25</u>
Relocated Structure	\$ 104.00 <u>109.00</u>
Sanitary or Storm Sewer Cap	\$ 104.00 <u>109.00</u>
Any trap or waste not connected to a fixture/each	\$ 25.00 <u>26.25</u>
Any plumbing installation not listed in this schedule with sanitary waste or portable water supply	\$ 25.00 <u>26.25</u>
Minimum Plumbing Permit Fee	\$ 104.00 <u>109.00</u>
Re-inspection Fee/each	\$ 104.00 <u>109.00</u>
Inspections Not Covered By Schedule/hour	\$ 104.00 <u>109.00</u>
Inspections Outside Normal Business Hours minimum 1 hour	\$ 123.00 <u>118.00</u>
Investigation Fee/hour	\$ 104.00 <u>109.00</u>

Section 6: Building and Safety Fees

Commercial - Medical Gas

Permit fee based on the valuation of installation costs and the system equipment:	30% of Permit Fee
Plan Review Fee for Med Gas	30% of Permit Fee
When plans are incomplete or substantially changed so as to require additional plan review, additional hourly plan review fees may be charged based on the additional time required.	
Plumbing Plan Review Fee	30% of Permit Fee

Residential Fire Sprinklers – 13D Multipurpose or Continuous Loop Fire Suppression

1 – 2,000 sq. ft.	\$ 104.00 <u>109.00</u>
2,001 – 3,600 sq. ft.	\$ 166.00 <u>174.00</u>
3,601 – 7,200 sq. ft.	\$ 247.00 <u>259.00</u>
7,201 sq. ft. and greater	\$ 329.00 <u>345.00</u>

To the above fees, please add 12% State Surcharge.

Additional Miscellaneous Fees

Miscellaneous Building Fees

Table No. 3-F

Please add 12% State Surcharge (Where Applicable)

<u>Description</u>	<u>Fee</u>
Master Permit Program	\$ 111.00 <u>116.50</u>
Investigative Fee – all disciplines/hour	\$ 104.00 <u>109.00</u>
Inspection for Which No Fee is Specifically Indicated – all disciplines/hour	\$ 104.00 <u>109.00</u>
Moving a Building or Structure	\$ 413.00 <u>433.00</u>
Demolition of a Building or Structure – total removal, no state surcharge	\$ 104.00 <u>109.00</u>
Prefabricated Structures	By value, see Table 3-A
Hourly Inspection Fee for Requests Not In Permit Table – all disciplines/hour	\$ 104.00 <u>109.00</u>
Address Assignment, each new or change unless requested by city staff/each	\$ 558.00 <u>558.00</u>
Temporary Certificate of Occupancy Approval - Shall Not Exceed 30 Days Without Renewal.	
Renewal Fee is the Same Fee As Original Temporary Occupancy Permit Fee:	
1 & 2 Family Dwellings/per 30 day period	\$ 180.00 <u>189.00</u>
Triplex & 4-Plex/per 30 day period	\$ 352.00 <u>370.00</u>
Apartment Buildings/ per 30 day period	\$ 352.00 <u>370.00</u> + \$ 43.00 <u>45.00</u> /unit
Remodels Alterations Commercial/Industrial Buildings & Tenant Infill/per 30 day period	\$ 180.00 <u>189.00</u>
All other Commercial/Industrial Buildings/per 30 day period	\$ 529.00 <u>555.00</u> +10% of Bldg Permit Fee
Same As Plan Review Submittal	\$ 354.00 <u>371.00</u>
Manufactured Home Placement	\$ 562.00 <u>590.00</u> +\$ 30.00 <u>30.00</u> State Admin Fee

Manufactured Dwelling/RV Parks – Area Development Permit

The Area Development Permit fees to be calculated based on the valuations Shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp

Section 6: Building and Safety Fees

Additional Plan Review Due To Changes In Plans – all disciplines	\$ 104.00 <u>109.00</u> /hr
Hazardous Technical Report with No Plan Review	\$ 104.00 <u>109.00</u> /hr
Administrative Fee for Non-Sufficient Funds Check	\$ 180.00 <u>189.00</u>
Administrative Fee – Non Specialty Code Permits	10%
Administrative Fee for Cash Deposits	10%
Inspections Outside Normal Business Hours/hour – all disciplines, 1 hour minimum	\$ 123.00 <u>24.00</u>
Re-inspection Fee/each	\$ 104.00 <u>109.00</u>
Quick Start(Expedited Plan Review)	\$ 270.00 <u>283.50</u>
Phased Permits	\$ 338.00 <u>355.003</u> + 10% of the total building permit fee for each phase of work not to exceed \$1,500 for each phase.
Deferred Permits	65% of Bldg. Permit Fee calculated using the valuation of the deferred portion of the project, with a minimum fee of \$100.00
Research Requests	
Technical (15-30 minutes)	\$ 37.00 <u>39.00</u>
Technical (31-60 minutes)	\$ 71.00 <u>75.00</u>
Non-Technical (15-30 minutes)	\$ 23.00 <u>24.00</u>
Non-Technical (31-60 minutes)	\$ 44.00 <u>46.00</u>
Any copy fee is in addition to research fees.	30 Minutes is minimum fee
Posting Substandard Structures	\$ 104.00 <u>109.00</u>
Monthly Reports – Yearly “Mailing” List	\$ 9195.00 <u>5457.00</u> /mailed
	\$ 5457.00 <u>5457.00</u> /faxed
Weekly Issued Reports – Yearly “Mailing” List	\$ 392411.00 <u>216227.00</u> /mailed
	\$ 216227.00 <u>216227.00</u> /faxed
Addressing Information –Non-Agency-Government Yearly “Mailing” List	\$ 91.95.00 <u>91.95.00</u> /mailed
	\$ 5457.00 <u>5457.00</u> /faxed
Fire Department Process/Application Fee	10% of Fire fee

Copying Costs

Copying Fee:	Staff Charge out rate	½ hour minimum
Plus:	First 5 copies up to 11” x 17”	No charge
	All additional copies	\$.50 each
	Large print copies -	\$4.00 each

All special ordered maps are charged from the GIS price sheet.

Copying Fee:	Staff charge rate	½ hr. minimum
Technical Research Fee:		\$ 101 <u>109.00</u> /hr.

Signs

Sign Code Plan Review

(SMC 8.218(1))

Section 6: Building and Safety Fees

Permit Applications. Two complete sets of plans, engineering calculations, diagrams and other data shall be submitted with each application for a permit. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect.

- (a) A scaled plot plan with building dimensions, setback and location of proposed signs shall be submitted with the sign permit application. A photograph of each facade of the building shall be submitted.
- (b) A scaled elevation drawing shall be submitted in addition to the above requirements if a wall mounted sign will be erected.
- (c) A description of materials, anchors, footings and attachment systems shall be provided.
- (d) For all freestanding, pole or projecting signs over 20 feet in height, plans shall be submitted, drawn by a registered engineer.
- (e) Each application shall include photographs of existing signage on the property associated with the business.
- (f) If the application is for a billboard, the application must include an approved permit from the state of Oregon under the Oregon Motorists Information Act of 1971 (ORS 377.700 et seq.) prior to the erection of the billboard.

Per Sign \$ ~~47.49~~.00

Sign Permit Fees

(SMC 8.218(2)) (2)

Permit-Fees. Sign permit fees for permanent and temporary signs, excluding electrical, shall be set by resolution of the Council. Only one face of a double-faced sign will be used for calculation purposes. Each sign shall be considered separately when calculating plan review and sign permit charges.

0-35 square feet	\$ 8993 .00
36-to 60 square feet	\$ 123.00 129.00
61 to 100 square feet	\$ 188.00 187.00
101 to 150 square feet	\$ 178.00 197.00
151 to 200 square feet	\$ 221.00 232.00
201 to 300 square feet	\$ 277.00 291.00
301 to 400 square feet	\$ 333.03 3500.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

10% Administrative Fee will be applied when imposed or collected.

Temporary Sign Permit Fee

(SMC 8.218 (3))

Temporary Sign Permit Fees. Four permits for each approved development area shall be permitted per calendar year. The fee for each permit shall be set by resolution by the Council. No temporary sign(s) shall be larger than 60 square feet and be erected for a maximum of 30 consecutive days per each permit. The temporary sign(s) shall be located completely on private property and shall be in compliance with the required setbacks as identified in Springfield Municipal Code. A security deposit is required when this permit is issued. If the applicant fails to remove the temporary sign(s) by the date specified on the permit, the deposit shall be forfeited and the City may remove the temporary sign(s). If any temporary signs are erected without first obtaining a permit, the permit fee shall be doubled. Temporary signs erected by or for the City for City-sponsored events, authorized by the City, or for the park district, utility company, or hospital for community events are exempt.

Per permit	\$ 1111 116.00
Plus security deposit	\$ 1111 116.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

10% Administrative Fee will be applied when imposed or collected.

Sign Code Modification Fee

Section 6: Building and Safety Fees

(SMC 8.238(2))

A modification is defined as a request for a sign that complies with the provisions of this sign code in all respects except size or height and the proposed request is not more than 15 percent greater than otherwise allowed. If the applicant chooses to apply for a modification to the sign code, they may apply through the development services department for a cost set by resolution of the council. This modification request will be reviewed, and a decision reached by the Development and Public Works Director within 30 days of the application, providing the application is complete.

The following criteria must be met in order for a modification to be approved:

- (a) Locational and/or dimensional problems have been identified; and
- (b) The proposed adjustment will not cause any of the following adverse effects on neighboring properties:
 - (i) Creates a vision clearance hazard for pedestrians, motor vehicles or bicyclists; or
 - (ii) Creates a hazard for fire prevention or fire suppression; or
 - (iii) Public safety is compromised; and
- (c) The hardship is not self-imposed.

Per application \$ ~~221~~232.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sign Code Appeal Fee (Building Board of Appeals)

(SMC 8.238(5)) An applicant who is denied a modification request may appeal the decision of the Development and Public Works Department to the Building Board of Appeals for a cost set by resolution of the Council. The request will be reviewed by the Board and a decision reached within 30 days of the application date.

Per Application \$ ~~167~~175.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sign Code Appeal Fee (City Council Appeal)

(SMC 8.238(6)) An applicant may appeal the decision of the Board of Appeals regarding an appeal of a modification or a variance to the City Council for a cost set by resolution of the Council. The City Council's decision is final except that a writ of review to Circuit Court is available to appeal the City Council's decision pursuant to Oregon law. [Section 8.238 amended by Ordinance No. 6008, enacted March 18, 2002.]

Per application \$ ~~111~~116.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sign Code Variance Fee

(SMC 2.568(5)) Hear appeals from the sign code as provided in chapter 8, section 8.238 of the Springfield Municipal Code.

Per Application \$ ~~333~~350.00

Section 7: Engineering

The following fees shall be charged for the Engineering activities of the City:

Land Drainage Alteration Permit

(Resolution 11-23, SMC 8.332(1), 8.332(2))

Plan Checking Fee

For excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill, whichever is greater. Before accepting a set of plans and specifications for checking, the Development and Public Works Director shall collect a plan-checking fee. Where not covered by the approved improvement plans for the development, separate permits and fees may apply to retaining walls or major drainage structures in accordance with the State Building Code. There shall be no separate charge for standard terrace drains and similar facilities. The amount of the plan checking fee for grading plans shall be based on the average actual costs as set forth by resolution of the City Council. The rates and charges herein provided are for incurred costs based upon the use or availability for use of the public right-of-way and/or the storm sewer system, as well as for meeting the routine obligations of ownership, which is necessary for the regulation of and provision for public health, safety, and welfare. The charge is controlled by the user's or potential user's request and choice of the kind, nature and quantity of use. The plan-checking fee, for a grading permit authorizing additional work to a valid permit, shall be the difference between such fee paid for the original permit and the fee shown for the entire project.

Grading Permit Fees

A fee for each grading permit shall be paid to the Development and Public Works Director based on the average actual costs as set forth by resolution of the City Council. The rates and charges herein provided are for incurred costs based upon the use or availability for use of the public right-of-way and/or the storm sewer system, as well as for meeting the routine obligations of ownership, which is necessary for the regulation of and provision for public health, safety, and welfare. The charge is controlled by the user's or potential user's request and choice of the kind, nature, and quantity of use. The fee for grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

Single Family/Duplex Residential

"Short Form" fee (non-sensitive areas: *i.e.* lot slope less than 15%; no work in or near a drainageway or swale; no wetlands on site; not in a flood plain)

Flat fee	\$ 65.00 <u>93.25</u>
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"LDAP" fee (work within sensitive areas: *i.e.* any of the following: lot slope equal to or greater than 15%; work in or near a drainageway or swale; wetlands on site; site in flood plain)

Flat fee	\$1,1 27.00 <u>88.60</u>
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Commercial/Industrial/Multifamily/Other

1) Plan Check Fee	\$ 65.00 <u>93.25</u>
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2) Plus: Volume Fee	Up to 100 cubic yards	\$ 281.95 <u>05.00</u>
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101 to 1,000 cubic yards	\$ 281.00 <u>95.05</u>
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Plus: Per 100 cubic yards over 100	\$ 57.00 <u>75</u>
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1,001 to 25,000 cubic yards	\$ 775.00 <u>13.75</u>
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Plus: Per 1,000 cubic yards over 1,000	
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	\$ 94.00 <u>8.70</u>
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Greater than 25,000 cubic yards:
 Actual recorded staff costs, overhead
 and project expenses
 \$3,~~032~~183.60 minimum
 Plus: \$~~4,9925~~2,241.60 deposit and
 additional deposits as required

Plus Permit Administration/Inspection Fee

Up to 100 cubic yards \$~~281~~0095.05

101 to 1,000 cubic yards \$~~281~~0095.05
 Plus: Per 100 cubic yards over 100 \$~~94~~008.70

1,001 to 25,000 cubic yards \$1,~~132~~0088.60
 Plus: Per 1,000 cubic yards over 1,000
 \$~~187~~0096.35

Greater than 25,000 cubic yards
 Actual recorded staff costs, overhead
 and project expenses
 \$5,~~311~~576.55 minimum
 Plus \$4,~~7099~~44.45 deposit and
 additional deposits as required

5% Technology Fee (surcharge) will be applied when imposed or collected.

Corrective LDAP

Any LDAP processed after work is conducted without required City approvals is considered a corrective LDAP. In addition to the normal LDAP fees, calculated based on an estimate of the work performed at the time of the corrective LDAP, the corrective LDAP shall also pay for actual recorded staff costs, overhead, and project expenses in the administration of the corrective LDAP. The initial deposits for the corrective LDAP, in addition to the standard LDAP fees, shall be \$3,275 for parcels less than one acre and \$3,275 + \$1,664 per acre for parcels more than one acre. If the deposit is insufficient to cover City expenses for the project, additional deposits will be required.

Re-Inspection Fee

\$~~1239~~.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Asphalt Damage Deposit

(SMC 3.210(1)(a), 3.212(3)) Before the issuance of any permit under this article, the Development and Public Works Director shall require the applicant to deposit such reasonable security as the Director requires to comply with the provisions of this article and with the City's specifications pertaining to the conduct of work.

\$1,~~078~~132.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Comprehensive Fee for Use of Public Ways (Non-Utility)

(SMC 3.224) No structure or device shall be placed in, upon, over or under the public way unless the owner of such structure or device shall have received a placement permit authorizing the placement of such structure or device. Any violation of this provision shall be an infraction within the meaning of Chapter 5 of this code.

Annual rental of City conduit	\$2. 2233 per foot
Annual placement fee for conduit four inches or less in diameter	\$ 5. 6492 per foot
And for each inch of diameter in excess of four inches.	\$1.1 17 per foot

5% Technology Fee (surcharge) will be applied when imposed or collected.

Wireless Telecommunications, per Structure with Attached Facilities **\$6~~4981~~.00**

Encroachment Permit

(SMC 3.212(1)) Applications for the encroachment permit shall be on the form prescribed by the Development and Public Works Director, and accompanied by the fee therefore, in an amount fixed by the Council by resolution.

Type 1: The Encroachment Permit Type 1 is intended for encroachment permit requests that do not rise to the level of a Type 2 permit.

—\$351.00	
—Re-inspection Fee	\$123.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Type 2: The Encroachment Permit Type 2 is intended for complex encroachment permit requests that require professional plans but that do not rise to the level of a Public Improvement Project.

Deposit Flat Fee _____ \$4,725.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sign Permit Fee: Signs in the Public Right-of-Way (Banners)

(SMC 3.223(1),(7)) Banner. Any non-rigid material such as canvas, vinyl or cloth, with no enclosing framework, which contains advertising copy.

Over the Street Banner

(SMC 3.223(1),(7)) Over the Street Banner. A banner that hangs between two poles that straddle the City street at locations designated by the City.

Per permit \$16~~775~~.00

Open Banner

(SMC 3.223(1),(7)) Open Banner. A double sided, embroidered banner displayed in the Downtown or Mohawk area that is attached to a pole, purchased and installed by the City, and advertises a business or organization.

Downtown Business District	\$12 39 -16 775
Mohawk Business District	\$12 39 -16 775

Light Pole Banner

(SMC 3.223 (1),(7)) Pole Banner. A banner attached to City utility poles or traffic signal poles at designated areas throughout the City.

Per permit \$11~~17~~.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Comprehensive Telecommunication Placement Plan Review Fee

Section 7: Engineering

(SMC 3.226(6)) At the election of the applicant, the applicant may file a comprehensive telecommunications placement plan which describes all facilities it presently intends to install. Such plan is subject to approval of the Development and Public Works Director and may be modified from time to time by the applicant with the approval of the Development and Public Works Director. The fee for review of such plan shall be fixed by the Council by resolution.

\$~~882~~926.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Curb Cut Fee

(SMC 3.254, 3.256) In case the permit shall be granted, it shall be the duty of the applicant to pay a fee based on the average actual costs as set forth by resolution of the Council. The same fee shall be charged for new construction or repair. The rates and charges herein provided are incurred costs based upon the use or availability for use of the public right-of-way, the availability of which is necessary for the regulation of, and provision for, the public health, safety and welfare. The charge is controlled by the user's (or potential user's) request and choice of the kind, nature and quantity of use.

First curb cut \$12733.00

Second curb cut \$6871.00

Re-inspection fee Per re-inspection \$1239.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Curb Cut Fee and Sidewalk Construction Permit: Multiple Permit Discount

(SMC 3.250, 3.256, 3.300(1)) Before any sidewalk in a public right of way is started, a permit shall be obtained from the building official. At the time the permit is issued, the applicant shall pay a fee based on the average actual costs for permit administration and sidewalk inspection as set forth by resolution of the Council for the sidewalk, for either new construction or repair. These requirements do not apply, however, when such work is done under contract with the City or covered by a subdivision agreement with the City. The rates and charges herein provided are incurred costs based upon the use or availability for use of the public right-of-way, the availability of which is necessary for the regulation of, and provision for, the public health, safety and welfare. The charge is controlled by the user's (or potential user's) request and choice of the kind, nature and quantity of use.

Discount when applicant obtains up to three Curb Cut or Sidewalk Construction Permits in same location. \$435.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Placement Permit for Standard Mailbox - No Sidewalk Construction

(SMC 3.226) No fee

Placement Permit

(SMC 3.226 (2)) Prior to placing a structure or device in the right-of-way, the owner of such structure or device shall secure a placement permit, which permit shall also serve as an encroachment permit.

\$35169.00

Per re-Inspection \$1239.00

Plus an Asphalt Damage Deposit (SMC 3.214(2)(b)) \$1,078132.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Public Right of Way Use Agreement

(SMC 3.226 (2)) Prior to placing a structure or device in the right-of-way, the owner of such structure or device shall secure a placement permit, which permit shall also serve as an encroachment permit.

Initial Permit \$1,21980.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sidewalk Café Permit

(SMC 7.904) In the downtown district only, the City Manager, or the manager’s designee, may issue a revocable permit for an outdoor café allowing for the service of food and beverages at facilities placed on sidewalks within the public right-of-way abutting an existing eating establishment.

Initial Permit	\$ 68 200.00	
	Re-inspection fee	\$100.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sidewalk Construction Permit

(SMC 3.300, 3.310(1)) Before any sidewalk in a public right-of-way is started, a permit shall be obtained from the building official. At the time the permit is issued, the applicant shall pay a fee based on the average actual costs for permit administration and sidewalk inspection as set forth by resolution of the Council for the sidewalk, for either new construction or repair.

For the first 90 feet of sidewalk	\$12733.00
Per square foot after	\$0.134
Re-inspection fee	\$1239.00
Sidewalk Repair Permit	\$245.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Sewer Connection Fee-Unassessed (Sewer In-Lieu-of-Assessment Fee)

(SMC 3.356(3)) Upon making an application as herein provided, such person shall pay to the City an amount based upon the City’s established rate per square foot of benefited property. This rate is based on the average actual sewer construction costs per square foot of benefited property, as set by resolution of the Council. Any rate adjustment shall be determined by the previous year’s sewer construction costs and projected inflation to the next construction season. The depth of the benefited property shall not exceed 150 feet from the street or 150 feet from the sanitary sewer line if the sewer line is not within the street right-of-way, except by special authorization by the Development and Public Works Director and based upon reasonable judgment, such as

- a. The location of the building in relation to the referenced 150 foot line;
- b. The possibility of future development for the building sites beyond the 150 foot depth.

Except as provided by (a) and (b) immediately preceding, a reduced charge will be charged for that area beyond the 150 foot line. The sum so paid may be deposited against any future sanitary sewer assessment which may be made against said property. In the event the sum paid exceeds the assessment any excess will be refunded to the property owner.

Per square foot for first 150 feet of depth	\$0.748
And per square foot thereafter	\$0.379

5% Technology Fee (surcharge) will be applied when imposed or collected

Unassessed Property along McVay Highway, Franklin Boulevard to Nugget Way

(SMC 3.356(3)(c)) The City Council has determined that a special rate is appropriate for properties directly benefitted by the Franklin/McVay Sanitary Sewer Extension, City Project #21080, to provide a reasonable and just fee based upon the size and configuration of the benefitted properties.

Per square foot	\$0.223
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Sewer Construction Permit

(SMC 3.358(4)) An application for a permit to construct a sanitary sewer shall be accompanied by a fee set by resolution of the Council. If more than 50 percent of an existing sewer line is to be reconstructed, then it shall be classed as new construction.

No charge

Sewer Reconstruction Permit

(SMC 3.358(5)) An application for a permit to reconstruct any sanitary sewer shall be accompanied by a fee set by resolution of the Council. If less than 50 percent of an existing sewer line is to be reconstructed, then it shall be classed as repairs.

No charge

Temporary Storage Fee

(SMC 3.214(2)(b)) Fee for the temporary storage of articles in the public right-of-way during construction as provided for in section 5.052(2)(a), if applicable:

Per square foot with a \$345.00 minimum charge	\$2. 22 <u>33</u>
plus and Asphalt Damage Deposit (SMC 3.214(2)(b))	\$1, 078 <u>132</u> .00

5% Technology Fee (surcharge) will be applied when imposed or collected.

General Engineering Fees

Public Improvement Permit (PIP): Plan Approval and Deposits

Schedule of deposits pertaining to PIP plan approval and permit

(SMC 3.018 (1)) From time to time the Council shall, on recommendation of the City Engineer, by resolution, adopt a schedule of deposit amounts that shall categorize projects and the required deposit. In determining the recommended amount of a deposit, the City Engineer shall consider the actual costs of performing review for approval and preliminary testing, and the costs of inspection, testing, and other services provided to projects of similar cost of construction in the immediately preceding fiscal year, adjusted by the change in the Construction Cost Index during the past twelve months.

(2) Such actual costs shall include the employee’s base salary; other direct project expenses, such as copies, project documentation, the use of consultants, the cost of materials testing and an allowance for indirect costs based on percentages determined by the Finance Director. Deposits shall be in accordance with such schedule except where the City Engineer determines, in writing, that unusual circumstances associated with the project require a deposit of a greater or lesser amount.

City Plan Examination Deposit

Estimated Project Cost	\$0 to \$100,000	\$3, 000 <u>150</u>
	-or-	
	\$100,001 and over	\$3, 000 <u>150</u> + 1% of Project over \$100,000

5% Technology Fee (surcharge) will be applied when imposed or collected.

City Engineering and Inspection Deposit

Estimated Project Cost	\$0 to \$100,000	\$6, 03 <u>00</u>
	-or-	
	\$100,001 and over	\$6, 03 <u>00</u> + 1% of Project over \$100,000

Job Control Testing Fees and Deposits

Soil Bearing Tests	1/500 L.F. at	* each
Soil Densities	1/250 L.F. at	* each
Curb Rock Densities	1/150 L.F. at	* each
Base Rock Densities	1/150 L.F. at	* each
Concrete CLY. and Slump	1/100 C.Y. at	* each
A.C. Extractions per Class	1/500 TON at	* each
Asphaltic Concrete Densities (each lift)	1/150 L.F. at	* each
Asphaltic Job Mix Testing Fee	per project	*

* above indicates fee is paid for by the developer to a third party testing company.

5% Technology Fee (surcharge) will be applied when imposed or collected.

Post-Monumentation Deposit for Subdivision

<i>(ORS 92.065(1))</i>	Base deposit	\$2,800.00
	Plus monument (each)	\$120.00

This Deposit is refundable when the City Surveyor deems the Post Monumentation is completed. In the event that the Subdivision is not monumented within the conditions of post monumentation, the funds will be utilized by the City Surveyor to complete said monumentation per Statute. A non-refundable 5% Technology Fee (surcharge) will be applied when imposed or collected.

Project Bid Books and Project Draft Plans

(ORS 192.324(4)) Oregon Revised Statutes authorize the public body to establish fees reasonably calculated to reimburse it for its actual costs in making such records available including costs for summarizing, compiling, or tailoring such records, either in organization or media, to meet the person's request.

Minimum, varies by project	\$ 335 .00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Just Compensation due to Land Use Regulation

(ORS 195.310 & ORS 195.312) A person filing a claim under ORS 195.310 for just compensation due a City land use regulation must file the claim in the manner provided under ORS 195.312. The City may impose a fee for review of a claim filed under ORS 195.310 in an amount not to exceed the actual and reasonable cost of reviewing the claim.

Per Application	\$ 62758 .00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Re-Apportionment Fee

(SMC 3.154) Apportionment or reapportionment shall only be made upon the written request of the record owner of the tract or parcel of property involved directed to the finance director. The request shall be accompanied by a survey map of the parcels to receive the assessment liens as reapportioned, together with a legal description thereof. Apportionment or reapportionment shall only be made upon the written request of the record owner of the tract or parcel of property involved directed to the finance

Section 7: Engineering

director. The request shall be accompanied by a survey map of the parcels to receive the assessment liens as reapportioned, together with a legal description thereof.

First two lots	\$335.00
Extra per lot	\$145.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Other Engineering Fees

Asphaltic Job Mix Testing Fee

Each Public Improvement Project using asphaltic paving	\$483507.00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Local Improvement District Assessment Service Fee

(SMC 3.072) An assessment service fee of 6.2 percent of the cost of direct construction, advertising, testing and engineering of local public improvement projects shall be added and included in the assessment made to each benefiting property owner in order to cover the origination, billing and collection cost on assessment.

Per Assessment	6.2% of Assessment
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Reimbursement District Application Fee

(SMC 3.610 (1)) A person who is required to or chooses to finance some or all of the cost of an infrastructure improvement that will be available to provide service to property, other than property owned by the person, may, by written application filed with the Development and Public Works Director, request that the City establish a reimbursement district. The infrastructure improvements must be in addition to or in a size greater than those that would otherwise ordinarily be required in connection with the application for permit approval and must be available to provide service to property other than property owned by the applicant. Examples include, but shall not be limited to, intersections, full-street rather than half-street improvements, traffic signals, off-site sidewalks, connection of street sections for continuity, extension of water lines, and extension of sewer lines. The City may also initiate formation of a reimbursement district. The application shall be accompanied by a fee, as established by resolution, sufficient to cover the cost of administrative review and notice pursuant to this section.

Per Benefitted Parcel	\$55583.00 Each
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Reimbursement District Administration Fee

(SMC 3.165(2)) The City may charge a fee for administration of the agreement. The administration fee shall be fixed by the Council in the resolution approving and forming the reimbursement district. The administration fee is due and payable to the City at the time the agreement is signed (or, if specified as a percentage, shall be paid quarterly based upon the reimbursement fees paid during that quarter).

For Reimbursement Districts with 10 or fewer Benefitted Parcels	\$55583.00 each
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For Reimbursement Districts with more than 10 Benefitted Parcels	6.2% of the Reimbursement Fees collected from a District each quarter
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Traffic Engineering Fees

Traffic System Damage Fee

These fees are meant to reimburse the City for damage caused to traffic sign posts and curbs from drivers.

Section 7: Engineering

Reinstall Single Post, Sign and Base	\$2 62 75 each
Reinstall Double Post, Sign and Base	\$4 19 40 each
Repaint, Overpaint Curb, Less Than 25 Ft.	\$2 01 9 each

Portable Changeable Message Sign Fee

This fee compensates the City for use of its Portable Changeable Message Signs (PCMS) and covers the City's operating costs associated with deploying and operating PCMS units for events and other activities undertaken by outside agencies.

Deploy, Program, and Retrieve PCMS	\$1, 674 757 per each location
Operate and Maintain PCMS	\$2 23 day
Operate and Maintain PCMS	\$8 37 week

Section 8: Planning Services

The following fees ~~shall~~must be ~~charged~~paid for the Planning activities of the City:

Development Code Application Fees (~~Resolution 10-51, Springfield Development Code SDC 5.41.-100400-5.1.600~~)

Any applications being processed before the Hearings Official (except an appeal) ~~shall~~must pay an additional deposit of ~~\$5,546.00~~\$823.00 for the cost of the Hearings Official. Any amount not expended by the Hearings Official ~~shall~~must be returned to the applicant. Charges in excess of this additional fee ~~shall~~will be assessed to the applicant.

Note: ~~Low Income Fee Reduction Fee Waivers: any application fee related to the development of low income housing or facilities may be reduced pursuant to the criteria of Section 1.070(4) of Fees may be waived in accordance with the Springfield Development Code 2.1.135(C).~~

General Notes

Expedited Processing Fee: Any request to prioritize and expedite the review of a particular application out of the order in which applications are received, ~~shall~~must be reviewed by and will be approved or denied at the discretion of the Director. Any approved request will and shall be charged a non-refundable fee of ~~\$12,202.00~~\$12,812.00 or 3 times the application fee, whichever is greater; where the development area is greater than 10 acres an additional ~~\$610.00~~\$641.00 per acre will be charged.

Technology Fee: All applications will be assessed a 5% technology fee with the exception of ~~Pre-Submittal Application Completeness Check Meeting, Development Issues Initiation Meeting, Pre-Application Report Meeting, Appeal of Type H2 Director’s Decision, Appeal of Expedited Land Division, and certain required fees (ex: Postage/ Notification Notice Fees).~~

Copying Costs

Copying Fee:	Staff Charge out rate ½ hour minimum
Plus:	First 5 copies up to 11” x 17” No charge
All additional copies each	\$0.50 <u>\$1.00</u>
Large print copies	\$4.00 <u>\$4.205</u>
<u>.00</u> each	

All special ordered maps are charged from the GIS price sheet.

General Applications

Accessory Dwelling Unit (SDC 5.5.-100)	Type 1 <u>1+</u>	City:
\$900 <u>\$945.00</u>		
	Urban Growth Boundary (UGB):	\$990 <u>\$1040.00</u>
5% Technology Fee (surcharge) will be applied when imposed or collected.		
Resolution 2018-10	Type 2 <u>2+</u>	City:
\$900 <u>\$945.00</u>		
	Plus: Postage <u>Notice Fee</u>	\$193 <u>\$203.00</u>

Section 8: Planning Services

~~Urban Growth Boundary (UGB):- \$9901040.00~~
 Plus: ~~Postage Notice Fee \$193203.00~~

5% Technology Fee (surcharge) will be applied when imposed or collected.

Amendment of Development Code Text (SDC 5.6.100)

~~(SDC 5.6-100) Ballot Measure 56 permits charging Individual notice of legislative amendments under ORS 227.186 9 (Ballot Measure 56) staff time for mailing, plus materials and postage.~~

~~Mailing & Postage Notice Fee~~ Staff Time \$8892.00
 Plus: Materials and Postage
 Type ~~IV4~~ City \$9,170,629.00
 UGB \$13,835,14,527.00
 Plus: ~~Postage Notice Fee \$658,691.00~~

5% Technology Fee (surcharge) will be applied when imposed or collected.

Annexation (SDC 5.7.-100)

Annexation to the City of Springfield, UGB Only

Type ~~IV4~~ Single ~~family unit~~ dwelling, ~~s detached~~ on ~~LDRR-1~~ property of less than 10,000 square feet
 \$1,214,275.00
 <1 acre \$2,654,787.00
 1 acre > 5 acres \$3,393,563.00
 5 acres > 10 acres- \$4,528,754.00
 10 acres > 25 acres- \$5,714,6,000.00
 25 acres > 50 acres- \$7,092,447.00
 50 acres > 100 acres- \$8,164,572.00
 100 acres or more \$11,252,815.00

~~Plus: Postage Notice Fee for all Type IV \$658,691.00~~

Annexation Special District Boundary Adjustments/Withdrawals
 10% of the paid annexation fee
 (exclusive of ~~postage notice fee~~)

~~UGB Only Comprehensive Planning Fee per acre~~
 \$2,328,444.00/acre
 Concurrent Special District Boundary Adjustments and/or
 Withdrawals, including but not limited to: Park and Recreation
 Districts; Water Districts; Fire Districts; Library Districts, etc.
 10% of applicable annexation fee
 (regardless of the number of Districts)

5% Technology Fee (surcharge) will be applied when imposed or collected.

Appeals (SDC 5.13.-8100)

Type 2 Appeal of Type 2 Directors Decision (ORS 227.175) \$250.00
 Type ~~III3~~*- Appeal of Expedited Land Division \$389,408.00

Section 8: Planning Services

Type IV 4	Appeal of Type III Decision to City Council	
	City	\$2,8733,017.00
	UGB	\$4,337554.00

*This fee is established by ORS 227.175. Council acknowledges Neighborhood Associations shall be charged a fee for an appeal.

Note for all local appeals: If an appellant prevails at the hearing or subsequent hearing, the filing fee for the initial fee shall be refunded. This applies to local appeals only. The appellant prevails if the hearings body sustains one or more of the applicants allegations and amends, remands or reverses the land use decision.

Application Completeness Check Meeting (SDC 5.1.210(3))

Type 1	City	\$449.00
	UGB	\$676.00

Conceptual Development Plan (SDC 3.4.-315)

Type III 3	City	\$16,93517,782.00
	UGB	\$25,54626,823.00
	Plus: Postage Notice Fee	\$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Conceptual Development Plan Amendments (SDC 3.4.-315)

Type III 3	City	\$6,560888.00
	UGB	\$989710,392.00
	Plus: Postage Notice Fee	\$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Declaratory Ruling (SDC 5.1.1100)

Type 1	City	\$945.00
	UGB	\$1,040.00
Type 2	City	\$2,302.00
	UGB	\$2,990.00
	Plus: Notice Fee	
Type 3	City	\$6,166.00
	UGB	\$9,302.00
	Plus: Notice Fee	

5% Technology Fee (surcharge) will be applied when imposed or collected.

Type 4 * ~~Ballot Measure 56 permits charging staff time for mailing and postage, plus materials and postage.~~

Department of Motor Vehicle Licensing
(Permit)

Section 8: Planning Services

_____	New	City	\$871915.00
_____		UGB	\$1,04698.00
_____	Renewal	City	\$348365.00
_____		UGB	\$421442.00

~~5% Technology Fee (surcharge) will be applied when imposed or collected.~~

Determination of Non-Conforming Use Status (SDC 5.8.-100)

Type #1	City-	\$ 132139.00
	UGB	\$ 199209.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Development ~~Issues-Initiation~~ Meeting (SDC 5.1.-100(a)~~210~~)

Type 1	City & UGB	
_____		\$646678.00

Discretionary Use (SDC 5.9.-100)

Type #3	City	\$4, 741978.00
	UGB	\$7, 151509.00
	Plus: PostageNotice Fee	\$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Drinking Water Protection Overlay District (SDC 3.3.-200)

Type #1	City & UGB	\$1, 262325.00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Expedited Land Division (SDC 5.1-145SDC 5.12.200)

Type ~~#~~-The fee for an Expedited Land Division (ELD) shall be ~~is~~ twice the fee calculated for a regular land division. A separate notice fee is required for an Expedited Land Division.

Appeal of Expedited Land Division. (SDC 5.12.240)

Appeals of an expedited land division decision must ~~plus an appeal fee established~~ be accompanied by the deposit required in ORS 197.380-375 to defray costs in the event the decision is appealed. If the ~~appellant prevails in the appeal~~ decision is not appealed, the appeal fee deposit for ~~ELD-an Expedited Land Division shall~~ will be refunded. If the City prevails in the appeal, the Hearings Official may order appellant to pay costs of the appeal in excess of the original deposit. A separate ~~postage~~ notice fee is required for an ~~ELD~~ Expedited Land Division.

Final Site Plan Inspection; (ex. for Occupancy, ~~LUC~~/Change of Use, etc.)

(Permit)

Type 1	City & UGB	\$ 348365.00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Floodplain Development Base Fee (SDC 3.3.-400)*

Type #1	Floodplain Base Fees	
	City	\$1,369437.00
	UGB	\$2, 066169.00

Plus:

Section 8: Planning Services

Subdivision- \$247259.00 per lot

Partitions and site plans- \$495520.00 per acre

For all development areas >5 acres \$16,905,17,750.00 deposit is required**
 5% Technology Fee (surcharge) will be applied when imposed or collected.

*A Floodplain permit processed after land use activity is conducted without required City approvals shall will be charged an additional fee of \$583612.00 per acre in addition to the regular application fee. ~~The City establishes these fees based on the average cost of providing programmatic service for activities conducted without permits.~~

**The >5 acre deposit shall will be refunded upon completion, inspection and final approval of work under the flood plain permit and associated applications.

Formal Interpretation

~~(SDC 5.11-100)~~

Type II	City	\$2,192,302.00
	UGB	\$2,848,990.00
	Plus: Postage	\$193,203.00

~~Type IV * Ballot Measure 56 permits charging staff time for mailing and postage, plus materials and postage.~~

Mailing & Postage	Staff Time	\$8892.00
	Plus: Materials and Postage	

~~Formal Interpretation Involving Policy~~

City	\$5,872,166.00
UGB	\$8,859,302.00
Plus: Postage	\$658,691.00

~~5% Technology Fee (surcharge) will be applied when imposed or collected.~~

Hillside Overlay District (HD) (SDC 3.3.-500)

Type #2	City & UGB	\$1,133,390.00/acre
	Plus: Postage Notice Fee	\$193,203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Historic (SDC 3.3.-900)

Type 1	Historic Commission Review - Type 1	
	City	\$77.00
	UGB	\$203.00
Type 2	Historic Commission Review - Type 2	
	City	\$229.00
	UGB	\$608.00
	Plus: Notice Fee	

Section 8: Planning Services

<u> </u>	<u>Type #3</u>	Demolition of Historic Landmark	
		City	\$4, 300 515.00
		UGB	\$6, 488 812.00
		Establishment of Historic Landmark Inventory	
		City & UGB	\$2, 379 498.00
		Plus: Postage Notice Fee	\$466 489.00

<u> </u>	<u>Type I</u>	<u>Historic Commission Review under Type I</u>	
		City	\$73 77.00
		UGB	\$193 203.00

<u> </u>	<u>Type II</u>	<u>Historic Commission Review Under Type II</u>	
		City	\$218 229.00
		UGB	\$579 608.00
		Plus: Postage	\$193 203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Hospital Support Overlay District (HS) (SDC 3.3.-1100)

<u> </u>	<u>Type #2</u>	City Only	\$3, 616 797.00
		Plus	\$724 760.00/acre
		Plus: Postage Notice Fee	\$193 203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Land Use Compatibility Statement(LUCS)/Zoning Verification Letter (SDC 3.1.-100)

<u> </u>	<u>PermitType 1</u>	City	\$ 348 365.00
		UGB	\$376 395.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Manufactured Dwelling Park (SDC 34.27.-235345)

<u> </u>	<u>Type #2</u>	City	\$12, 220 831.00
		UGB	\$18,432 19,354.00
		Plus: Postage Notice Fee	\$193 203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Master Plan (SDC 5.13.-100)

Master Plan Approval Preliminary

<u> </u>	<u>Type #2</u>	City	\$ 16,935 17,782.00
		Plus	\$784 823.00/acre
		UGB	\$25,546 26,823.00
		Plus	\$784 823.00/acre
		Plus: Postage Notice Fee	\$193 203.00

Section 8: Planning Services

Type #3	City	\$ 23,300 24,465.00
	Plus	\$784823.00/acre
	UGB	\$35,07636,830.00
	Plus	\$784823.00/acre
	Plus: Postage Notice Fee	————— \$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Final Master Plan Approval

Final Master Plan Approval fee is 10% of the paid master plan approval fee (exclusive of postage)

5% Technology Fee (surcharge) will be applied when imposed or collected

Master Plan Modification

Type #1	City	\$3,258421.00
	UGB	\$4,8855,129.00
Type #2	City	\$6,560888.00
	UGB	\$9,89710,392.00
	Plus: Postage Notice Fee	————— \$193203.00
Type #3	City	\$11,97912,578.00
	UGB	\$17,51318,389.00
	Plus: Postage Notice Fee	————— \$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Metro Plan Amendment (SDC 5.14.-100) – Type 4 Procedure

Acre fee for diagram amendment

Type ~~#1~~ amendment classification, (SDC 5.14.115(A)) (City jurisdiction only);
special instruction Type IV

City	\$26,94128,288.00
Plus	\$784823.00/acre
UGB	\$40,64042,672.00
Plus	\$784823.00/acre
Plus: Postage Notice Fee	————— \$658691.00

Type II amendment classification, (SDC 5.14.115(B)) (City & County jurisdiction);
special instruction Type IV

City	\$13,066719.00
Plus	\$784823.00/acre
UGB	\$16,75717,595.00
Plus	\$784823.00/acre
Plus: Postage Notice Fee	————— \$658691.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

-Minimum Development Standards (MDS) (SDC 5.15.100)

Type #1	Minor	City Only	\$900945.00
Major	City Only		\$1,23799.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Modification of Approval-Type 1 (5.1.1015(C))

Section 8: Planning Services

Type 1	City	\$1,613.00
	UGB	\$2,435.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Modification of Approval-Type 2 (5.1.1015(B))

Type 2 (non-significant impacts) City & UGB	\$3,421.00
Type 2 (significant impacts) City & UGB	\$5,298.00
Plus: Notice Fee	

5% Technology Fee (surcharge) will be applied when imposed or collected.

Non-Conforming Use Expansion/Modification (SDC 5.8.100)

Type #2	City	\$4,741,978.00
	UGB	\$7,151,509.00
	Plus: Postage Notice Fee	\$193,203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Notice (SDC 5.1.100 et. seq.)

Type 2	\$203.00
Type 3	\$489.00
Type 4	\$691.00

Partitions (SDC 5.12.-100)

~~Pre-Submittal Meeting Tentative~~

~~Pre-Submittal Meeting Plat~~

~~Required prior to submittal of Partition Tentative Plan and Partition Plat applications.~~

Type	City	\$428,449.00
	UGB	\$644,676.00

Partition Tentative Plan

Type #2	City	\$6,033,335.00
	UGB	\$11,040,592.00
	Plus: Postage Notice Fee	\$193,203.00

Partition Plat

A reconfiguration of lots or parcels or a decrease in the number of lots or parcels in a platted subdivision or partition ~~or subdivision shall will~~ be charged the tentative replat/replat plat fee for either subdivision or partition as appropriate. An increase in the number of lots in a platted ~~partition or~~ subdivision or number of parcels in a platted partition shall will be charged either the subdivision tentative/ subdivision plat or partition tentative plan/partition plat ~~or subdivision tentative/ subdivision plat~~.

Type #1	City & UGB	\$3,315,481.00
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Section 8: Planning Services

5% Technology Fee (surcharge) will be applied when imposed or collected.

Planning Review of Building Permit Plans Review (SDC 2.1.-115)

<u>Type 1</u>	Minor	City	\$143150.00
		UGB	\$347364.00
<u>Type 1</u>	Major	City	\$255268.00
		UGB	\$347364.00

Minor – Used for additions ,remodels, and accessory buildings.

Major – Use for new construction; inc. new dwelling(s), per dwelling.

Pre-Application Report Meeting (SDC 5.1.-1200)

<u>Type 1</u>		City & UGB	\$4,400620.00
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Pre-Submittal Meeting

(SDC 5.1-100)

		City	\$428449.00
		UGB	\$644676.00

Property Line Adjustment (SDC 5.16.-100)

Type <u>1</u>		City	\$772811.00
		UGB	\$1,163221.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Property Line Adjustment-Serial

Type <u>2</u>		City	\$1,541618.00
		UGB	\$2,325441.00
		Plus: Postage Notice Fee	\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Reconsideration (SDC 5.1.700)

Type 1			\$250.00
Type 2			\$250.00
		Plus: Notice Fee	
Type 3			\$2500.00
		Plus: Notice Fee	

5% Technology Fee (surcharge) will be applied when imposed or collected.

Replat (SDC 5.12.-100)

Note: ~~Pre-Submittal Meeting~~ Application Completeness Check Meeting-Tentative, and ~~Pre-Submittal Meeting~~ Application Completeness Check Meeting-Plat are required prior to submittal of Major Replat Tentative Plan and Major Replat Plat applications.

Minor Replat Tentative Plan

Type <u>2</u>		City	\$3,8624,055.00
		Plus: Postage Notice Fee	\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Minor Replat Plat

Section 8: Planning Services

Type ~~#1~~ City \$2,270,384.00
 5% Technology Fee (surcharge) will be applied when imposed or collected.

Major Replat Tentative Plan

Type ~~#2~~ City \$6,274,588.00
 Plus: ~~Postage Notice Fee~~ \$193,203.00
 5% Technology Fee (surcharge) will be applied when imposed or collected.

Major Replat Plat

Type ~~#1~~ City \$2,273,384.00
 5% Technology Fee (surcharge) will be applied when imposed or collected.

Refinement Plan Amendment (SDC 5.6.-100)

Acre fee for diagram amendment

Type ~~#4~~ City \$13,066,719.00
 Plus \$784,823.00/acre
 UGB \$20,102,211,107.00
 Plus \$784,823.00/acre
 Plus: ~~Postage Notice Fee~~ \$658,691.00
 5% Technology Fee (surcharge) will be applied when imposed or collected.

Site Plan Review (SDC 5.17.-100)

Site Plan Review

~~Pre-Submittal Meeting~~

~~Required prior to submittal of Site Plan Review and Site Plan Review Modification—
 Major applications.~~

~~City \$428,449.00
 UGB \$644,676.00~~

Site Plan Review

~~-~~
 Type ~~#2~~
 500 or less sq. ft. of new, removed, or net change of impervious surface; and no Traffic Impact Study required; and no change of driveways, access, or circulation.
 City only \$1,616.00
 >500 and <10,000 sq. ft. of new impervious surface
 City & UGB
 \$5,228,489.00
 10,000 sq. ft. or greater of new impervious surface
 City & UGB
 \$5,228,489.00
 Plus \$6265.00/1,000 sq. ft.
 Plus: ~~Postage Notice Fee~~ \$193,203.00

Section 8: Planning Services

5% Technology Fee (surcharge) will be applied when imposed or collected.

~~Site Plan Review Modification Major~~

Type II	City & UGB	\$5,046,298.00
	Plus: Postage	\$193,203.00

~~5% Technology Fee (surcharge) will be applied when imposed or collected.~~

~~Site Plan Review Modification Minor~~

Type I	City	\$1,536,613.00
	UGB	\$2,319,435.00

~~5% Technology Fee (surcharge) will be applied when imposed or collected.~~

Final Site Plan Equivalent

Type <u>1</u>	City & UGB	\$4,658,891.00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Final Site Plan Review/Development Agreement (SDC 5.17-.100)

Type 1 - Final site plan and development agreement fee is 10% of the paid site plan fee

~~(exclusive of postage).~~

5% Technology Fee (surcharge) will be applied when imposed or collected.

Solar Access ~~Guarantee Protection~~ (SDC 5.18-.100)

Type <u>2</u>	City	\$967,015.00
	UGB	\$1,173,232.00
	Plus: Postage Notice Fee	\$193,203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Street Name Change

City Only	\$5,8726,166.00
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5% Technology Fee (surcharge) will be applied when imposed or collected.

Subdivisions (SDC 5.12-.100)

~~Pre-Submittal Meeting Tentative~~

~~Pre-Submittal Meeting Plat~~

~~Required prior to submittal of Subdivision - Tentative Plan and Subdivision - Plat Applications.~~

City Only	\$428,449.00
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Subdivision-~~LDRR-1~~-Tentative Plan

Type #2	<2 acres	\$6,8347,176.00
	Plus	\$294309.00/lot
	2 acres to 5 acres	\$9,67210,156.00
	Plus	\$484508.00/lot
	5 acres to 10 acres	\$12,79413,434.00
	Plus	\$739776.00/lot
	10 acres to 20 acres	\$13,49814,173.00
	Plus	\$769807.00/lot
	Greater than 20 acres	\$14,201911.00
	Plus	\$852895.00/lot
	Plus: PostageNotice Fee	\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Subdivision-~~LDRR-1~~-Plat

Type #1		\$945992.00
	Plus	\$589618.00/lot

5% Technology Fee (surcharge) will be applied when imposed or collected.

Subdivision-Non-~~LDRR-1~~-Tentative Plan

Type #2		\$12,065668.00
	Plus	\$724760.00/acre
	Plus: PostageNotice Fee	\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Subdivision-Non-~~LDRR-1~~-Plat

Type #1		\$4,8365,078.00
	Plus	\$786825.00/acre

5% Technology Fee (surcharge) will be applied when imposed or collected.

Temporary Use (SDC 5.10.-100)

~~Fee Waiver: The Director may reduce or waive the fee for Temporary Use-Emergency Medical Hardship upon verification of low-income status of the owner-occupant.~~

Type #2	Emergency Medical Hardship	
	City & UGB	\$343360.00
	Plus: PostageNotice Fee	\$193203.00
Type #1	Manufactured Dwelling-After a Disaster	
	City & UGB	\$460483.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Time Extension for Certain Improvements (SDC 5.1.1000(C))

Section 8: Planning Services

<u>Type 1</u>	City	\$398418.00
	UGB	\$1,293358.00

Tree Felling Permit (SDC 5.19-.100)

Any Tree Felling permit processed after land use activity is conducted without required City approvals ~~shall will~~ be charged an additional fee of \$221232.00 per tree in addition to the regular application fee. ~~The City establishes these fees based on the average cost of providing programmatic service for activities conducted without permits.~~

_____	Type #2	_____	City & UGB
	Base Fee		\$1,220281.00
	Less than five (5) trees		No charge
	6-10 Trees	Base Fee Plus	\$6265.00/tree
	>10 Trees	Base Fee Plus	\$619650.00/acre
	Filbert Orchards		Base Fee Only
	Plus: PostageNotice Fee		\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Vacation (SDC 5.20-.100)

~~Public Easement-~~

_____	Type #2	_____	City	\$1,536613.00
			UGB	\$2,319435.00
			Plus: PostageNotice Fee	\$193203.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

~~ROW, Subdivision Plat, or and other public property-~~

_____	Type #4	_____	City	\$5,8726,166.00
			UGB	\$8,8599,302.00
			Plus: PostageNotice Fee	\$658691.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Variance (SDC 5.21-.100)

_____	Type #2-	_____	Minor Variance (up to 30%)	
			City & UGB	\$3,013164.00
			Plus: PostageNotice Fee	\$193203.00
_____	Type #3-	_____	Major Variance	
			City	\$7,8638,256.00
			UGB	\$11,86212,455.00
			Plus: PostageNotice Fee	\$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Willamette Greenway (SDC 3.3-.300)

Type ##3 _____ Greenway Setback Line Establishment without Development		
	City/UGB-	\$3,587766.00
	Plus: PostageNotice Fee _____	\$466489.00
Type ##3- _____ Greenway Setback Line already established		
	City	\$3,587766.00
	UGB	\$7,572951.00
	Plus: PostageNotice Fee _____	\$466489.00
Type ##3- _____ Greenway Setback Line <u>not</u> already established		
	City	\$7,149506.00
	Plus	\$724760.00/acre
	UGB	\$10,225736.00
	Plus	\$724760.00/acre
	Plus: PostageNotice Fee _____	\$466489.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Zoning Map Amendment (SDC 5.22-.100)

The Development will process citizens-initiated zoning map amendments, for properties where the zoning and plan designation are in conflict, three times a year beginning in January. There will be no application fee for applicants who choose to utilize this program, however a Type ~~##3~~ notification fee will be required for each application.

_____ Type ##3	_____ City
\$6,507832.00	
	UGB
	\$12,57613,205.00
	Plus: PostageNotice Fee _____
	\$466489.00

For a copy of the City Council Ordinances please contact the Current Development Division at (541)726-3753.

Section 9: Utilities

The following fees shall be charged for the Utilities activities of the City:

User Fees

Wastewater and Regional Wastewater (Sewer) Rates

Beginning with bills rendered on or after July 1, 2022 wastewater (sewer) charges shall be as follows:

- 3.0% Local Wastewater Rate Adjustment
- 3.5% Regional Wastewater Rate Adjustment

Wastewater Monthly Fee Schedule						
Wastewater Flow-Based Fee (per unit - 748 gallons)						
	Residential Customer	Commercial / Industrial Customers				
		Low Strength 400*	Medium Strength 800*	High Strength 1200*	Very High Strength 1600*	Super High Strength Over 1600*
MWMC	\$2.160	\$2.901	\$4.227	\$5.999	\$7.775	\$9.547
City of Springfield	\$3.795	\$3.795	\$3.795	\$3.795	\$3.795	\$3.795
Total	\$5.955	\$6.696	\$8.022	\$9.794	\$11.570	\$13.342
* Average total biochemical oxygen demand and suspended solids in milligrams per liter (mg/L)						
Base Charge: A regional (MWMC) monthly base charge of \$14.51 is applied to each account						

Wastewater Monthly Fee Schedule						
Wastewater Flow-Based Fee (per unit - 748 gallons)						
	Residential Customer	Commercial / Industrial Customers				
		Low Strength 400*	Medium Strength 800*	High Strength 1200*	Very High Strength 1600*	Super High Strength Over 1600*
MWMC	\$2.087	\$2.803	\$4.084	\$5.796	\$7.512	\$9.224
City of Springfield	\$3.684	\$3.684	\$3.684	\$3.684	\$3.684	\$3.684
Total	\$5.771	\$6.487	\$7.768	\$9.480	\$11.196	\$12.908
* Average total biochemical oxygen demand and suspended solids in milligrams per liter (mg/L)						
Base Charge: A regional (MWMC) monthly base charge of \$14.02 is applied to each account						

Section 9: Utilities



Stormwater (Drainage) Rates

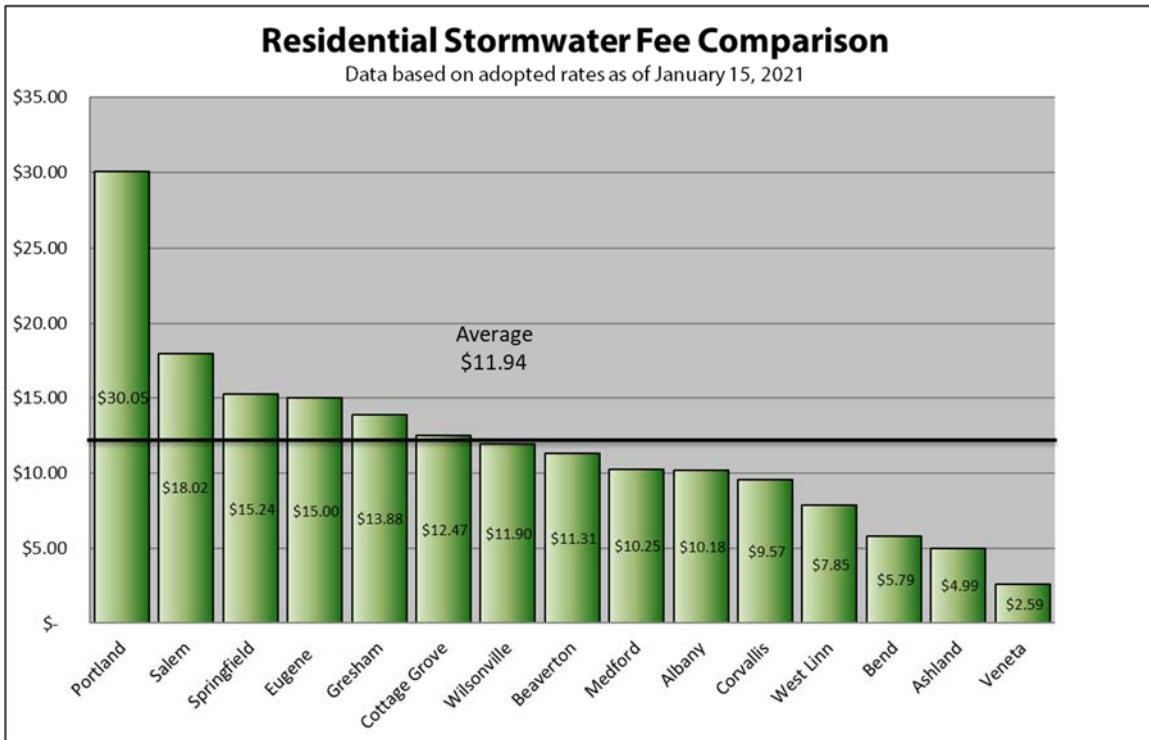
Beginning with bills rendered on or after July 1, 2022 stormwater (drainage) charges shall be as follows:

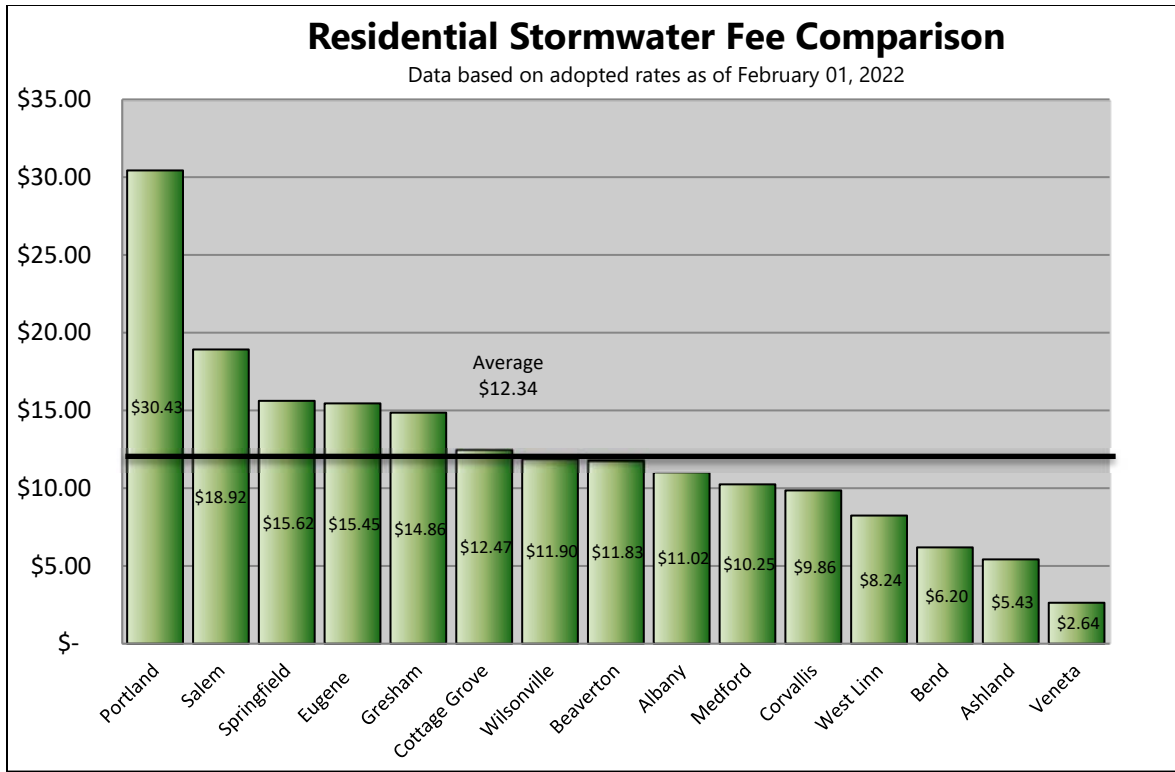
- 2.5% Local Stormwater Rate Adjustment

Section 9: Utilities

Stormwater Monthly Fee Schedule					
* Residential: \$16.01					
** Commercial	Very Heavy >70%	Heavy 41-70%	Moderate 20-40%	Light <20%	Undeveloped 0%
Base Fee per 1,000 sq ft	\$1.859	\$1.859	\$1.859	\$1.859	\$0.000
Impact Fee per 1,000 sq ft	\$2.792	\$1.628	\$0.467	\$0.000	\$0.000
Total Rate per 1,000 sq ft	\$4.651	\$3.487	\$2.327	\$1.859	\$0.000
* Residential includes single family residential and duplex households					
** Commercial is based on percentage of property development (impervious surface)					
** In addition to the Commercial rates above, an Administrative Fee of \$1.847 per account is applied monthly					

Stormwater Monthly Fee Schedule					
* Residential: \$15.62					
** Commercial	Very Heavy >70%	Heavy 41-70%	Moderate 20-40%	Light <20%	Undeveloped 0%
Base Fee per 1,000 sq ft	\$1.814	\$1.814	\$1.814	\$1.814	\$0.000
Impact Fee per 1,000 sq ft	\$2.724	\$1.588	\$0.456	\$0.000	\$0.000
Total Rate per 1,000 sq ft	\$4.538	\$3.402	\$2.270	\$1.814	\$0.000
* Residential includes single family residential and duplex households					
** Commercial is based on percentage of property development (impervious surface)					
** In addition to the Commercial rates above, an Administrative Fee of \$1.802 per account is applied monthly					





Industrial Pretreatment

(SMC 4.020)(1)

Purpose. It is the purpose of this section to reduce the City’s cost of implementation of the pretreatment program through a system of equitable charges or fees to be paid by the industrial users of the City sewerage system who are subject to this section for certain service. The applicable charges or fees shall be set forth on a schedule of fees adopted by resolution of the Council.

(2) Adoption.

- (a) Setting up and operating the pretreatment program.
- (b) Sampling, monitoring, inspections, and surveillance procedures.
- (c) Reviewing accidental discharge procedures and construction.
- (d) Reviewing and acting upon permit applications.
- (e) Other services as the City manager may deem necessary to carry out the requirements contained herein.

(SMC 4.008, 4.070) No industrial user shall discharge wastewater containing restricted substances into the City sewerage system, in excess of limitations specified by conditions of its discharge permit or published by the City manager. The City manager shall publish and revise from time to time rules which designate and establish limits for restricted substances. At all times, these rules shall cover and be at least as strict as those for pollutants as defined in state or federal regulations. Discharge limits or rules in effect and incorporated into any discharge permit shall remain in effect for that permit until it expires, except as modified pursuant to section 4.024. The City manager is authorized and directed to promulgate such rules and regulations as may be deemed necessary or proper to carry out the purposes or provisions of sections 4.002 to 4.094. Nothing in these sections shall prevent the City manager from seeking judicial or governmental agency assistance to implement the purposes and provisions of this code.

Annual Permit Fee

Administrative Rule 4.0503 R4.0503-C (1) A nonrefundable annual permit fee in the amount listed in the most recent amendment of the Oregon Administrative Rule (OAR) 340-045-0075: Permit Fee Schedule Table 70E (Annual Pretreatment Fees-Significant Industrial User) shall be paid to the City by each permitted Significant Industrial User (SIU). The fee shall be due annually on August 1 and will be applied to each SIU specified in the City’s annual DEQ Pretreatment Report for the previous calendar year.

OAR 340-045-0075 Permit Fee Schedule

Table 70E Annual Pretreatment Fee

Significant Industrial User \$ 875-901 per industry

Administrative Rule 4.0503, Appendix B

Resample and Analytical Cost

Barometer	Sample Type	Cost
Metals ¹ (except Mercury) - Composite		\$118.00
Metals ¹ (except Mercury) - Grab		\$152.00
Mercury ² Composite		\$122.00
Mercury ² Grab		\$182.00
Silica Gel Treated Hexane Ext. Material - Grab		\$274.00
Cyanide Composite		\$148.00
Cyanide Grab		\$182.00
pH Grab		\$149.00
Phenols Composite		\$146.00
Phenols Grab		\$181.00
Volatile Organics (EPA 624) - Grab		\$283.00
Semi-volatile Organics (EPA 625) - Grab		\$433.00
BTEX Grab		\$163.00

The costs in the above table will be reviewed annually, and adjusted when necessary

Administrative Rule 4.0503, Appendix A

Enforcement Response Guide - Effluent Limitations or General Discharge Prohibitions (See Notes 2, 3, 4, 5, 6, 7, 8, 11, 12)

Nature of Violation

¹ The above cost for metals includes the cost of analysis for one metal; each additional metal analysis would cost \$14.

² Cost for mercury includes sampling. If mercury is included with sampling for other metals, additional cost for mercury is \$18.

Section 9: Utilities

First month with violation(s) in a 12-month period		
Response		Notice of Noncompliance
Penalty		None
Personnel		City Manager
Second month with violation(s) in a 12-month period		
Response		Notice of Violation
Penalty		\$100 per pollutant per day
Personnel		City Manager
Third month with a violation(s) in a 12-month period		
Response		Notice of Violation
Penalty		\$200 per pollutant per day
Personnel		City Manager
Fourth month with violation(s) in a 12-month period		
Response		Notice of Violation
Penalty		\$300 per pollutant per day
Personnel		City Manager
Fifth month with violation(s) in a 12-month period		
Response	Notice of Violation	Administrative Compliance Order
Penalty		\$500 per pollutant per day
Personnel		City Manager
Sixth to twelfth month with violation(s) in a 12-month period		
Response	Notice of Violation (Administrative Compliance Order remains in effect)	
Penalty		\$500 per pollutant per day
Personnel		City Manager
Any series of violations of effluent limitations which meet the definition of Significant Noncompliance		
Response		Administrative Compliance Order
Penalty		See Note 5
Personnel		City Manager
Any exceedance of effluent limitations which causes danger, interference, pass-through, or sludge contamination		
Response		Administrative Compliance Order or civil litigation or terminate service
Penalty		\$2,500 per pollutant per day
Personnel		City Manager

**Failure to Report Noncompliance
(See Note 12)**

Nature of Violation

Failure to immediately report any slug load, spill or discharge that could cause interference or pass-through, (no harm)		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager
Failure to immediately report any spill, slug load, or discharge causing interference or pass-through, or other harm		
Response		Administrative Compliance Order
Penalty		\$2,500
Personnel		City Manager

Section 9: Utilities

Failure to report a violation of a permit effluent limitation within 24 hours		
Response	Notice of Noncompliance	
Penalty		None
Personnel		City Manager
Failure to report a violation of a permit effluent limitation within 3 days		
Response	Notice of Violation	
Penalty		\$200
Personnel		City Manager
Failure to provide a certified laboratory report and written report within 5 days of a permit effluent limitation violation		
Response	Notice of Violation	
Penalty		\$200
Personnel		City Manager
Failure to provide a written report of an effluent limitation violation as required by a Notice of Violation		
Response	Notice of Violation	
Penalty		\$300
Personnel		City Manager
Any noncompliance report late by more than 30 days (SNC)		
Response	Administrative Compliance Order	
Penalty		\$500
Personnel		City Manager

Failure to Submit Other Required Reports

Nature of Violation

Failure to notify the City of a substantial change in volume or character of pollutants in discharge		
Response	Notice of Violation	
Penalty		\$200
Personnel		City Manager
Failure to notify the City of a batch discharge		
Response	Notice of Violation	
Penalty		\$500
Personnel		City Manager
Failure to report a slug discharge within 24 hours		
Response	Notice of Violation	
Penalty		\$200
Personnel		City Manager
Failure to notify the City of the disposal of over 500 gallons of wastewater to any other person in a period of 12 consecutive months		
Response	Notice of Violation	
Penalty		\$200
Personnel		City Manager
Failure to obtain prior written permission for discharge of any hazardous waste, subject to exemptions in City Code		
Response	Notice of Violation	
Penalty		\$1,000
Personnel		City Manager

Section 9: Utilities

Failure to report the discharge of any hazardous waste within 180 days, subject to exemptions in City Code		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager
Two or more failures to submit required reports or notifications in a 12-month period		
Response	Administrative Compliance Order (See Note 2)	
Penalty		\$500
Personnel		City Manager
Failure to report all monitoring data		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager

General Reporting Requirements

Nature of Violation

Any report (other than a noncompliance report) late by more than 5 days but less than 15 days		
Response		Telephone Call
Penalty		None
Personnel		City Manager
Any report (other than a noncompliance report) late by 15 to 30 days		
Response	Notice of Noncompliance	
Penalty		None
Personnel		City Manager
Any report (other than a noncompliance report) late by more than 30 days (SNC)		
Response	Administrative Compliance Order	
Penalty		\$200
Personnel		City Manager
Any incomplete or inaccurate report, or any report improperly signed or certified		
Response		Telephone Call
Penalty		None
Personnel		City Manager
Any incomplete or inaccurate report, or any report improperly signed or certified after telephone notice by City		
Response		Notice of Violation
Penalty		\$100
Personnel		City Manager

Pollution Management Practices

Nature of Violation

Failure to implement required pollution management practices (first notice)		
Response		Notice of Noncompliance
Penalty		None
Personnel		City Manager
Failure to implement required pollution management practices (second notice)		
Response		Notice of Violation
Penalty		\$200 per month

Section 9: Utilities

Personnel

City Manager

Record Keeping

Nature of Violation

Failure to maintain required records for three years

Response

Notice of Violation

Penalty

\$200

Personnel

City Manager

Monitoring

Nature of Violation

Failure to conduct self-monitoring as required in permit

Response

Notice of Violation

Penalty

\$200 per sample day and conduct monitoring

Personnel

City Manager

Improper sampling or analytical procedures used, no intent

Response

Notice of Noncompliance

Penalty

None

Personnel

City Manager

Improper sampling or analytical procedures used, intent

Response

Administrative Compliance Order (See Note 10, Page 12)

Penalty

\$2,500

Personnel

City Manager

Failure to install required monitoring equipment or facilities, delay less than 30 days

Response

Notice of Noncompliance

Penalty

None

Personnel

City Manager

Failure to install required monitoring equipment or facilities, delay more than 30 days

Response

Notice of Violation

Penalty

\$200

Personnel

City Manager

Failure to install required monitoring equipment or facilities, delay more than 90 days

Response

Administrative Compliance Order

Penalty

\$500

Personnel

City Manager

Falsification

Nature of Violation

Making any false statement, representation, or certification in any application, record, report, plan or other document; or falsifying, tampering with or rendering inaccurate any monitoring device

Response

Notice of Violation (See Note 9)

Penalty

\$2,500

Personnel

City Manager

Unpermitted Discharge

Nature of Violation

Industrial User unaware of requirement; no harm

Section 9: Utilities

Response	Telephone call. Permit application sent
Penalty	None
Personnel	City Manager
Industrial User unaware of requirement; results in harm	
Response	Administrative Compliance Order
Penalty	\$500
Personnel	City Manager
Failure to apply for permit within 30 days after notice from City	
Response	Notice of Violation
Penalty	\$200
Personnel	City Manager
Failure to apply for permit within 30 days after Notice of Violation	
Response	Terminate Service
Penalty	None
Personnel	City Manager
Industrial User aware of requirement; no harm	
Response	Notice of Violation
Penalty	\$300
Personnel	City Manager
Industrial User aware of requirement, results in harm	
Response	Administrative Compliance Order
Penalty	\$2,500
Personnel	City Manager

Permit Reissuance

Nature of Violation

Application for permit reissuance late by more than 15 days (due 90 days prior to expiration date)

Response	Notice of Violation
Penalty	\$100
Personnel	City Manager

Dilution

Nature of Violation

Waste stream diluted in lieu of treatment; initial violation

Response	Notice of Violation
Penalty	\$300
Personnel	City Manager

Waste stream diluted in lieu of treatment; recurring

Response	Administrative Compliance Order
Penalty	\$2,500
Personnel	City Manager

Entry Denial

Nature of Violation

Entry to premises or access to sampling location denied

Response	Notice of Violation
Penalty	\$2,500
Personnel	City Manager

Compliance Schedules

Nature of Violation

Compliance date missed by less than 30 days		
Response		Notice of Noncompliance
Penalty		None
Personnel		City Manager
Compliance date missed by more than 30 days		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager
Compliance date missed by more than 90 days (SNC)		
Response	Administrative Compliance Order	
Penalty		\$500
Personnel		City Manager
Failure to meet a compliance date listed in an Administrative Compliance Order		
Response	Administrative Compliance Order in effect	
Penalty		\$500 per day
Personnel		City Manager

Mobile Waste Hauler

(See Note 10)

Nature of Violation

Discharge of wastes at unpermitted discharge point (first violation)		
Response		Notice of Violation
Penalty		\$1,000
Personnel		City Manager
Discharge of wastes at unpermitted discharge point (second violation)		
Response	Notice of Violation, Permit revoked; unauthorized to discharge at WPCF; letter of notification to hauler; copy of letter to DEQ	
Penalty		\$2,500
Personnel		City Manager
Discharge of wastes at unpermitted time (first violation in 12 months)		
Response		Notice of Noncompliance
Penalty		None
Personnel		City Manager
Discharge of wastes at unpermitted time (second and subsequent violations in 12 months)		
Response		Notice of Violation
Penalty		None
Personnel		City Manager
Failure to submit or properly complete manifest at time of disposal		
Response		Notice of Noncompliance
Penalty		None
Personnel		City Manager

Section 9: Utilities

Failure to submit or properly complete manifest within 10 days of Notice of Noncompliance		
Response		Notice of Violation
Penalty		\$50 per manifest
Personnel		City Manager
Failure to submit or properly complete manifest at time of disposal two or more times in one calendar month		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager
Discharge of other than domestic or septage wastes without prior approval		
Response		Notice of Violation
Penalty		\$500
Personnel		City Manager
Failure to supply copies of required documents to City by due date		
Response		Notice of Violation
Penalty		\$200
Personnel		City Manager
Failure to clean up spilled material at disposal site		
Response		Notice of Violation
Penalty	Twice cost to City of labor and materials to clean up site	
Personnel		City Manager
Mobile Waste Hauler discharging without a permit		
Response		Notice of Violation
Penalty		\$1,000
Personnel		City Manager
Failure to pay waste disposal charges within 30 days of mailing date		
Response	Letter regarding delinquent account with copy of billing	
Penalty	\$5.00 or 5% of past due amount, whichever is greater	
Personnel		City Manager
Failure to pay waste disposal charges within 60 days of mailing date		
Response	Certified letter, demanding payment within 10 days; cash, money order, cashier's check only	
Penalty	\$5.00 or 5% of past due amount, whichever is greater	
Personnel		City Manager
Failure to pay waste disposal charges within 10 days of mailing date of above certified demand letter		
Response	Permit revoked, unauthorized to discharge at WPCF; letter of notification to hauler; copy of letter to DEQ	
Penalty	Unauthorized to discharge at WPCF (See Note 10)	
Personnel		City Manager

Other Violations

Nature of Violation

Section 9: Utilities

Failure to comply with any other condition or requirement of a Wastewater Discharge Permit or Mobile Waste Hauler Permit not included above (no intent)

Response	Notice of Noncompliance
Penalty	None
Personnel	City Manager

Failure to comply with any other condition or requirement of a Wastewater Discharge Permit or Mobile Waste Hauler Permit (intent)

Response	Notice of Violation
Penalty	\$200
Personnel	City Manager

NOTES: Definitions (for other definitions see Springfield City Code 4.004), City Manager: City of Springfield City Manager, SNC: Significant Noncompliance (Springfield City Code 4.068), WPCF: Eugene/Springfield Water Pollution Control Facility, DEQ: Oregon Department of Environmental Quality, POTW: Publicly Owned Treatment Works

Other Rates

Solid Waste

(SMC 4.408, Resolution 2018-14)(1) Charges for the collection of garbage and refuse as established herein shall be payable monthly in advance. In the event that any person fails to pay the collector of garbage and refuse for the services rendered by the collector for a period of 45 days, then the collector may prepare a statement to that effect, and to the effect that he is terminating the service to such person and shall deliver a copy thereof to the City manager. The City shall thereupon have the burden of seeing to it that such person for whom the service is terminated disposes of his garbage in accordance with the terms of sections 4.400 to 4.430. The collector shall have no duty to commence serving such person again until the collector shall have been reimbursed for the delinquent payments.

SPRINGFIELD CAN/CART RATES

(07/01/2021)

21 Gallon Mini Can

Pickups Per Week	1 Can	County User Fee	Total
EOW	9.04	1.87	10.91
1	11.24	2.42	13.66

35 Gallon Can/Cart

Pickups Per Week	1 Can	County User Fee	Total	2 Cans	County User Fee	Total	3 Cans	County User Fee	Total
EOW	10.19	3.36	13.55						
1	14.98	4.42	19.40	29.92	8.89	38.81	44.90	13.26	58.16
2	29.92	8.89	38.81	59.93	17.83	77.77	89.90	26.67	116.57
3	44.90	13.26	58.16	89.90	26.67	116.57	134.85	39.93	174.79
4	59.93	17.83	77.77	119.87	35.56	155.44	179.80	53.35	233.15
5	74.92	22.25	97.17	149.89	44.41	194.29	224.76	66.66	291.42
6	89.90	26.67	116.57	179.80	53.35	233.15	269.71	80.02	349.73

Pickups Per Week	4 Cans	County User Fee	Total	5 Cans	County User Fee	Total	6 Cans	County User Fee	Total
EOW									
1	59.93	17.83	77.77	74.92	22.25	97.17	89.90	26.67	116.57
2	119.87	35.56	155.44	149.89	44.41	194.29	179.80	53.35	233.15
3	179.80	53.35	233.15	224.76	66.66	291.42	269.71	80.02	349.73
4	239.79	71.08	310.87	299.62	88.91	388.54	359.66	106.64	466.30
5	299.62	88.91	388.54	374.64	111.11	485.76	449.56	133.32	582.88
6	359.66	106.64	466.30	449.56	133.32	582.88	539.41	159.99	699.41

65-Gallon Cart

Pickups Per Week	1 Can	County User Fee	Total
1	20.71	7.60	28.31
2	41.47	15.16	56.63
3	62.18	22.76	84.94
4	82.84	30.41	113.25
5	103.65	37.97	141.62
6	124.36	45.57	169.93

95-Gallon Cart

Pickups Per Week	1 Can	County User Fee	Total
1	25.13	10.98	36.11
2	50.22	22.06	72.28
3	75.35	33.04	108.40
4	100.49	44.03	144.52
5	125.63	55.06	180.68
6	150.71	66.04	216.75

Premium

Cart Size	1 Can	County User Fee	Total
35 Gal	17.98	4.69	22.67
65 Gal	30.63	8.39	39.02
95 Gal	48.09	10.34	58.42

Condo/Multi Family Housing

Cart Size	1 Can	County User Fee	Total
35 Gal	12.82	4.42	17.24
65 Gal	18.49	7.60	26.10
95 Gal	22.71	10.98	33.69

SPRINGFIELD CONTAINER RATES

(07/01/2021)

Pickups Per Week	1.0 Yard	County User Fee	Total
1	\$ 82.01	\$ 25.97	\$ 107.98
Each Additional	\$ 71.99	\$ 25.97	\$ 97.96
2	\$ 160.12	\$ 51.88	\$ 212.01
Each Additional	\$ 138.88	\$ 51.88	\$ 190.76
3	\$ 237.87	\$ 77.85	\$ 315.72
Each Additional	\$ 204.65	\$ 77.85	\$ 282.50
4	\$ 312.97	\$ 103.82	\$ 416.79
Each Additional	\$ 244.37	\$ 103.82	\$ 348.18
5	\$ 391.09	\$ 129.73	\$ 520.82
Each Additional	\$ 303.07	\$ 129.73	\$ 432.81
6	\$ 465.45	\$ 155.65	\$ 621.10
Each Additional	\$ 361.47	\$ 155.65	\$ 517.12
7	\$ 544.20	\$ 181.66	\$ 725.86
Each Additional	\$ 420.97	\$ 181.66	\$ 602.63
EOW	\$ 31.84	\$ 23.57	\$ 55.41
1x Per Month	\$ 15.05	\$ 11.63	\$ 26.68

Pickups Per Week	1.5 Yard	County User Fee	Total
1	\$ 118.40	\$ 38.98	\$ 157.38
Each Additional	\$ 103.69	\$ 38.98	\$ 142.67
2	\$ 225.68	\$ 77.91	\$ 303.59
Each Additional	\$ 198.57	\$ 77.91	\$ 276.48
3	\$ 333.43	\$ 116.84	\$ 450.27
Each Additional	\$ 308.17	\$ 116.84	\$ 425.01
4	\$ 479.81	\$ 116.84	\$ 596.65
Each Additional	\$ 424.44	\$ 116.84	\$ 541.28
5	\$ 587.35	\$ 155.78	\$ 743.12
Each Additional	\$ 522.01	\$ 155.78	\$ 677.79
6	\$ 694.67	\$ 194.76	\$ 889.43
Each Additional	\$ 615.90	\$ 194.76	\$ 810.65
7	\$ 870.94	\$ 155.78	\$ 1,026.71
Each Additional	\$ 835.61	\$ 155.78	\$ 991.38
EOW	\$ 45.81	\$ 34.96	\$ 80.77
1x Per Month	\$ 21.56	\$ 17.14	\$ 38.70

Pickups Per Week	2.0 Yard	County User Fee	Total
1	\$ 152.21	\$ 51.95	\$ 204.15
Each Additional	\$ 133.54	\$ 51.95	\$ 185.48
2	\$ 290.91	\$ 103.89	\$ 394.80
Each Additional	\$ 255.95	\$ 103.89	\$ 359.84
3	\$ 429.25	\$ 155.79	\$ 585.03
Each Additional	\$ 387.33	\$ 155.79	\$ 543.11
4	\$ 619.35	\$ 155.79	\$ 775.13
Each Additional	\$ 551.95	\$ 155.79	\$ 707.74
5	\$ 757.89	\$ 207.68	\$ 965.57
Each Additional	\$ 674.26	\$ 207.68	\$ 881.94
6	\$ 896.39	\$ 259.68	\$ 1,156.06
Each Additional	\$ 796.35	\$ 259.68	\$ 1,056.03
7	\$ 1,126.80	\$ 207.68	\$ 1,334.48
Each Additional	\$ 1,019.70	\$ 207.68	\$ 1,227.38
EOW	\$ 51.92	\$ 46.25	\$ 98.17
1x Per Month	\$ 24.40	\$ 22.68	\$ 47.08

Pickups Per Week	3.0 Yard	County User Fee	Total
1	\$ 213.23	\$ 77.91	\$ 291.14
Each Additional	\$ 187.60	\$ 77.91	\$ 265.52
2	\$ 407.80	\$ 155.78	\$ 563.57
Each Additional	\$ 355.22	\$ 155.78	\$ 511.00
3	\$ 595.93	\$ 233.74	\$ 829.67
Each Additional	\$ 524.58	\$ 233.74	\$ 758.32
4	\$ 873.67	\$ 233.74	\$ 1,107.40
Each Additional	\$ 774.69	\$ 233.74	\$ 1,008.42
5	\$ 1,068.18	\$ 311.60	\$ 1,379.78
Each Additional	\$ 953.91	\$ 311.60	\$ 1,265.51
6	\$ 1,262.37	\$ 389.51	\$ 1,651.88
Each Additional	\$ 1,125.96	\$ 389.51	\$ 1,515.47
7	\$ 1,594.54	\$ 311.60	\$ 1,906.14
Each Additional	\$ 1,448.84	\$ 311.60	\$ 1,760.44
EOW	\$ 80.01	\$ 68.98	\$ 148.99
1x Per Month	\$ 37.59	\$ 33.75	\$ 71.34

Section 9: Utilities

Pickups Per Week	4.0 Yard	County User Fee	Total
1	\$ 265.44	\$ 103.89	\$ 369.33
Each Additional	\$ 234.54	\$ 103.89	\$ 338.43
2	\$ 509.47	\$ 207.68	\$ 717.15
Each Additional	\$ 451.58	\$ 207.68	\$ 659.25
3	\$ 752.61	\$ 311.67	\$ 1,064.29
Each Additional	\$ 667.71	\$ 311.67	\$ 979.39
4	\$ 1,099.16	\$ 311.67	\$ 1,410.84
Each Additional	\$ 986.90	\$ 311.67	\$ 1,298.57
5	\$ 1,342.30	\$ 415.56	\$ 1,757.86
Each Additional	\$ 1,214.06	\$ 415.56	\$ 1,629.62
6	\$ 1,585.59	\$ 519.45	\$ 2,105.05
Each Additional	\$ 1,419.70	\$ 519.45	\$ 1,939.15
7	\$ 2,017.58	\$ 415.56	\$ 2,433.14
Each Additional	\$ 1,838.92	\$ 415.56	\$ 2,254.49
EOW	\$ 97.77	\$ 91.44	\$ 189.21
1x Per Month	\$ 45.78	\$ 44.80	\$ 90.58

Pickups Per Week	5.0 Yard	County User Fee	Total
1	\$ 310.86	\$ 129.81	\$ 440.67
Each Additional	\$ 271.52	\$ 129.81	\$ 401.33
2	\$ 597.67	\$ 259.67	\$ 857.34
Each Additional	\$ 523.11	\$ 259.67	\$ 782.78
3	\$ 883.49	\$ 389.52	\$ 1,273.01
Each Additional	\$ 774.33	\$ 389.52	\$ 1,163.86
4	\$ 1,273.59	\$ 389.52	\$ 1,663.12
Each Additional	\$ 1,154.74	\$ 389.52	\$ 1,544.26
5	\$ 1,584.08	\$ 519.43	\$ 2,103.51
Each Additional	\$ 1,405.69	\$ 519.43	\$ 1,925.13
6	\$ 1,870.05	\$ 649.19	\$ 2,519.24
Each Additional	\$ 1,657.02	\$ 649.19	\$ 2,306.21
7	\$ 2,394.20	\$ 519.43	\$ 2,913.63
Each Additional	\$ 2,165.13	\$ 519.43	\$ 2,684.56
EOW	\$ 112.19	\$ 113.49	\$ 225.68
1x Per Month	\$ 52.40	\$ 55.62	\$ 108.02

Pickups Per Week	6.0 Yard	County User Fee	Total
1	\$ 350.36	\$ 155.79	\$ 506.15
Each Additional	\$ 331.22	\$ 155.79	\$ 487.01
2	\$ 674.30	\$ 311.67	\$ 985.98
Each Additional	\$ 602.43	\$ 311.67	\$ 914.11
3	\$ 997.51	\$ 467.46	\$ 1,464.97
Each Additional	\$ 863.62	\$ 467.46	\$ 1,331.08
4	\$ 1,475.52	\$ 467.46	\$ 1,942.98
Each Additional	\$ 1,339.05	\$ 467.46	\$ 1,806.51
5	\$ 1,798.93	\$ 623.29	\$ 2,422.23
Each Additional	\$ 1,625.97	\$ 623.29	\$ 2,249.27
6	\$ 2,122.09	\$ 779.08	\$ 2,901.17
Each Additional	\$ 1,915.64	\$ 779.08	\$ 2,694.72
7	\$ 2,733.81	\$ 623.29	\$ 3,357.10
Each Additional	\$ 2,510.96	\$ 623.29	\$ 3,134.26
EOW	\$ 123.89	\$ 135.32	\$ 259.21
1x Per Month	\$ 57.64	\$ 66.25	\$ 123.89

Commercial Container Rent	All Sizes	County User Fee	Total
Per Month	\$ 21.55	\$ -	\$ 21.55

SPRINGFIELD COMPACTING CONTAINER RATES

(07/01/2021)

Pickups Per Week	<u>2.0 Yard</u>	County User Fee	Total
1	\$ 317.64	\$ 130.51	\$ 448.15
2	\$ 590.51	\$ 238.53	\$ 829.03
3	\$ 885.73	\$ 357.82	\$ 1,243.55
4	\$ 1,181.01	\$ 477.06	\$ 1,658.07
5	\$ 1,476.29	\$ 596.29	\$ 2,072.58
6	\$ 1,771.56	\$ 715.53	\$ 2,487.10
7	\$ 2,066.74	\$ 834.82	\$ 2,901.56
EOW	\$ 126.03	\$ 86.75	\$ 212.78
On Call	\$ 63.08	\$ 43.47	\$ 106.55

	<u>3.0 Yard</u>	County User Fee	Total
	\$ 462.92	\$ 209.67	\$ 672.60
	\$ 926.00	\$ 419.29	\$ 1,345.29
	\$ 1,295.14	\$ 725.38	\$ 2,020.52
	\$ 1,726.13	\$ 967.92	\$ 2,694.05
	\$ 2,158.56	\$ 1,208.97	\$ 3,367.52
	\$ 2,590.39	\$ 1,450.76	\$ 4,041.15
	\$ 3,022.01	\$ 1,692.61	\$ 4,714.63
	\$ 220.53	\$ 98.39	\$ 318.92
	\$ 110.46	\$ 49.32	\$ 159.78

Pickups Per Week	<u>4.0 Yard</u>	County User Fee	Total
1	\$ 618.65	\$ 279.60	\$ 898.25
2	\$ 1,154.07	\$ 644.76	\$ 1,798.83
3	\$ 1,731.08	\$ 967.24	\$ 2,698.32
4	\$ 2,308.14	\$ 1,289.57	\$ 3,597.71
5	\$ 2,885.15	\$ 1,612.05	\$ 4,497.20
6	\$ 3,462.16	\$ 1,934.38	\$ 5,396.54
7	\$ 4,039.22	\$ 2,256.81	\$ 6,296.03
EOW	\$ 296.35	\$ 132.24	\$ 428.59
On Call	\$ 148.15	\$ 66.14	\$ 214.29

SPRINGFIELD EXTRA CHARGE RATES

(07/01/2021)

<u>Container Size</u>	<u>Basic Charge</u>	<u>User Fee</u>	<u>Extra or Overflow Charge</u>	<u>On-Call Charge</u>
1.0 Yard	15.25	11.63	26.88	26.88
1.5 Yard	21.87	17.14	39.01	39.01
2.0 Yard	24.88	22.68	47.55	47.55
3.0 Yard	38.37	33.75	72.12	72.12
4.0 Yard	46.67	44.80	91.47	91.47
5.0 Yard	53.50	55.62	109.12	109.12
6.0 Yard	59.01	66.25	125.26	125.26

Can Charges

1 Can	3.29	1.29	4.58
2 Cans	6.57	2.55	9.12
3 Cans	9.85	3.86	13.71
4 Cans	13.09	5.05	18.14
5 Cans	16.36	6.41	22.77

Major Appliances

Stove - Refrigerator - Washer - Dryer - Hot Water Heater

Curbside	34.42	27.27	61.68
Backyard	46.07	27.27	73.34

Furniture

Sofas - Chairs

Curbside	18.50	12.29	30.79
Backyard	30.26	12.29	42.55

Mattress & Box Spring

(regardless of size)

Each piece	12.43	17.30	29.73
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Brush, Boxes, Demolition

Will be charged by volume and time. Volume equated to 32 gallon cans and time spent in loading.

Other Can Charges

Yard Waste Service EOW	6.12	0.00	6.12
Additional YW Pickup	6.12	0.00	6.12
Recycle Only Service EOW	4.71	0.00	4.71
Additional Recycle Pickup	6.12	0.00	6.12

Food Waste

32 Gal 1x per wk	15.45	0.00	15.45
64 Gal 1x per wk	22.57	0.00	22.57
1 YD 3x per wk	252.05	0.00	252.05

SPRINGFIELD DROP BOX CHARGES
 (07/01/2021)

<u>Drop Box Size & Description</u>	<u>Basic Charge</u>		<u>User Fee</u>
20 YD	145.38	\$	89.94 per ton
30 YD	218.05	\$	89.94 per ton
40 YD	290.76	\$	89.94 per ton
Stationary Compactor Charge Per Cubic Yard	7.27	\$	89.94 per ton
Box Delivery Fee (Any Size)	28.48		
Spotting Fee & Relocate Box	28.48		
Demurrage Charge (Box Rental) Beginning after the seventh day Excluding Sunday and Holidays	7.33	per day	

SPRINGFIELD BIOMEDICAL CHARGES

10 Gallon Incinerated	26.52
20 Gallon Incinerated	31.00
35 Gallon Incinerated	37.96
1 Gallon Container	10.39

Fuel Tax

Motor Vehicle Fuel Dealer’s Business License

(SMC 7.504(b)) No dealer shall sell, use or distribute any motor vehicle fuel until he/she has secured a dealer’s license as required herein. [Section 7.506 added by Ordinance 6042, enacted March 10, 2003.]

Per gallon of such motor vehicle sold, used or distributed \$0.03

Failure to Secure (Motor Fuel Dealer’s Business) License

(SMC 7.510(b)) If a dealer sells, distributes or uses any motor vehicle fuel without first filing the certificate and obtaining the license required by section 7.506

Amount of tax determined to be due plus a penalty of 100% of the tax.

Payment of (Motor Fuel Dealer’s) Tax and Delinquency

(SMC 7.518(2), 7.518 (3)) Except as provided in subsections (3) and (4) of this section, if payment of the license tax is not paid as required by subsection (1) of this section, a penalty of 1 percent of such license tax shall be assessed and be immediately due and payable. Except as provided in subsection (4) of this section, if the payment of the tax and penalty, if any, is not made on or before the 1st day of the next month following that month in which payment is due, a further penalty of 10 percent of the tax shall be assessed. Said penalty shall be in addition to the penalty provided for in subsection (2) of this section and shall be immediately due and payable.

Failure to File (Motor Fuel Dealer’s) Monthly Statement

(SMC 7.522) If a dealer fails to file any statement required by section 7.520, the tax administrator shall proceed forthwith to determine from as many available sources as the tax administrator determines reasonable the amount of motor vehicle fuel sold distributed or used by such dealer for the period unreported, and such determination shall in any proceeding be prima facie evidence of the amount of fuel sold, distributed or used. The tax administrator shall immediately assess the dealer for the license tax upon the amount determined, adding thereto a penalty of 10 percent of the tax. The penalty shall be cumulative to other penalties provided in this code

Telecommunication Business License Tax, Fees, and Utility License

Comprehensive Telecommunication Placement Plan Review Fees

(SMC 3.266 (5)) At the election of the applicant, the applicant may file a comprehensive telecommunications placement plan which describes all facilities it presently intends to install. Such plan is subject to approval of the Public Works director and may be modified from time to time by the applicant with the approval of the Public Works director.

\$868.00

Telecommunication Business License Tax

(SMC 4.707 (1) and (3) added by Ordinance No. 6323, enacted July 21, 2014 . See also SMC 4.602 Utility License Required.)

(1) All persons providing utility services in the City shall pay to the City of Springfield a utility tax in the amount of five percent of gross revenues, as herein defined, subject to limitations in other state or federal laws.

Gross revenue 5%

(3) All utilities owned and operated by the City of Springfield, except a municipal utility as defined in ORS 757.005(1), shall pay to the City of Springfield a utility tax fixed by resolution of the Council. (Fee set by Resolution 11-23, June 20, 2011, Resolution 1, Ordinance 4, April 1, 2013, Resolution 2013-15, November 1, 2013, Resolution 2018-30, November 5, 2018).

City of Springfield utilities Gross Revenue 5%

Compensation Fee for Use of Public Ways

(SMC 4.706 (1) added by Ordinance No. 6311, enacted March 3, 2014; amended by Ordinance No. 6323, enacted July 21, 2014. See also SMC 4.602 Utility License Required.) Fee set by Resolution 11-23, June 20, 2011.

All persons not parties to a franchise or public way use agreement, and occupying the public ways for placement of utility facilities but not providing utility service within the City shall pay a fee, in an amount fixed by resolution of the Council for each foot or portion thereof occupied, subject to limitations in other state or federal laws.

Per foot \$4.00

Telecommunication License Application Fee

(SMC 4.702, Ordinance No. 5891, enacted May 18, 1998; amended by Ordinance No. 6203, enacted July 16, 2007)

Any applicant for a license, including a renewal or amendment of an existing license. An applicant whose license or franchise application has been withdrawn, abandoned or denied within 60 days of its application and review fee written request, shall be refunded the balance of its deposit under this section, less:

New and including renewal of existing License(s) \$53.00

5% Technology Fee (surcharge) will be applied when imposed or collected.

Compensation for City Property

(SMC 4.710 Ordinance No. 5891, enacted May 18, 1998; amended by Ordinance No. 6203, enacted July 16, 2007) If the right is granted, by lease, license, franchise or other manner, to use and occupy City property other than the public ways for the installation of facilities.

Attachment to City-Owned Pole	Per Year	\$250 per pole
Other City Property		Fee assessed per property

Section 10: System Development Charges

The System Development Charges are annually increased by an inflationary rate on July 1 of each year.

The following fees shall be charged for the development activities of the City:

Calculating the SDC

The SDC charges for each development is calculated using the worksheet shown as Exhibit 2.

The Storm Sewer SDC is based on square feet of impervious surface area. The Sanitary Sewer SDC is based on drainage fixture units as defined by the April 2000 Oregon Amendments to the 1997 Uniform Plumbing Code. The Transportation SDC is based on average weekday trip generation rates as published in the latest edition of the Transportation Engineers (ITE) Trip Generation Manual. More detailed information on calculating the fees for each system is shown below:

Storm Drainage

The storm drainage SDC is paid by all new residential, commercial, and industrial development. The charge is based on the square footage of the impervious surface area of the development. Impervious surfaces typically consist of concrete, asphalt, and roofing. The cost per square foot of impervious surface area is \$ 0.75593. In applying the SDC, the cost per square foot is applied to the amount of impervious surface area measured at the time the building permit is issued.

FORMULA: STORM DRAINAGE SDC = IMPERVIOUS SQUARE FEET x \$0.75593/SQUARE FOOT

A 50% credit will be given for the portion of impervious area served by a drywell sized and constructed to City of Springfield Standard Construction Specifications. A SDC credit will also be given for peak ten-year runoff reduction based on documentation provided by the developer and approved by the City.

Sanitary Sewer-City

The charge is paid by all new commercial, industrial, and residential development. To calculate the impact of new development on the sanitary sewer system, the City uses the number of drainage fixture units (DFU) as the basis of the charge.

Residential rate increases to \$ 259.4872.45 per DFU.

FORMULA: Residential City sanitary sewer SDC = number of DFU x \$ 259.4872.45

Commercial/Industrial is \$259.4872.45 per DFU.

FORMULA: Commercial/industrial City sanitary sewer SDC = number of DFU x \$ 259.4872.45

Drainage fixture unit (DFU) calculation table

<u>Fixture type</u>	<u>Unit Equivalent</u>
Bathtub	3
Drinking Fountain	1
Floor Drain, Floor Sink	3
Interceptors for Grease/Oil/Solids/etc.	3
Interceptors for Sand/Auto Wash/etc.	6
Laundry Tub	2
Clothes washer/Mop Sink	3
Clothes washer- 3 or more (each)	6

Section 10: System Development Charges

Mobile Home Park trap (1 per trailer)	12
Receptor for Refrigerator	1
Receptor for Commercial sink/dishwasher/etc.	3
Shower, Single stall	2
Shower, Gang (number of heads)	2
Sink: Commercial, Residential Kitchen	3
Sink: Commercial bar	2
Sink: Wash basin/Double lavatory	2
Sink: Single lavatory/Residential bar	1
Urinal, Stall/Wall	5
Toilet, Public installation	6
Toilet, Private installation	3

Transportation

This SDC is charged on new commercial, industrial, professional, and residential development or change of use. It helps support expansion of arterial and collector roads, traffic signals, and street lighting. The SDC is based on the trip rate of the specific type of development and the cost per trip. The cost per trip is \$ ~~405.05~~25.30 for all use types. A new trip factor is applied to omit short pass-by trips, diverted trips, and other linked trips. Trip rates for developments are based on the current Institute for Transportation Engineers' (ITE's) Trip Generation Manual, or the developer can submit a trip generation study outlined and approved by the City of Springfield. A partial list of trip rates is in the Transportation Fee Schedule, Exhibit 3.

FORMULA: Number of Trips X Unit X \$ ~~405.05~~25.30 X New Trip Factor

Sanitary Sewer (MWMC)

The Metropolitan Wastewater Management Commission (MWMC) Facility Equalization Charge is a reimbursement fee for the reserve capacity that was constructed to serve new growth. This fee is designed to reimburse the community for its equity in the treatment plant's reserve capacity. Newly developed properties, change of use, or other properties that are connecting to the wastewater treatment system for the first time will pay the equalization charge. New development receives credit for past bond payments on existing debt and for contributions to qualified offsite public improvements. See Exhibit 4, Attachments C. The Flow Estimation Units (FEU) is used for the MWMC Facility Equalization Charge.

Formula: NUMBER OF FEU x COST PER FEU + \$10 ADMIN. FEE

Administrative Cost

The SDC legislation allows the City to recover its costs for complying with the required changes. A five percent (5%) administrative fee will be added to cover the cost of developing the SDC, establishing accounting mechanisms and administering the ongoing program.

Residential SDC Payment Deferral Program

(SMC 3.412)(4) The purchaser of a home or multifamily dwelling may elect to finance system development charges over a period of 10 years, billed in equal semiannual installments, plus interest and fees.

Interest Rate –Unbonded Average City Earnings Rate plus 2%	
Interest Rate – Bonded	Bond Rate plus 1.5%
Deferral Administrative Fee	\$50.00
Installment Late Payment Fee	10% of Overdue Installment

Short-Term SDC Payment Deferral Program

(City Policy) Whenever the total SDC due for a Building Permit exceeds \$10,000 the applicant may elect to enter into a short-term SDC Deferral Agreement. The Agreement is in the form of a potential lien and must be signed prior to Building Permit issuance. The SDC Deferral Agreement allows the applicant to pay a minimum of \$10,000 toward the total SDC due prior to the City issuing the Building Permit. The balance of the SDC due must be paid in full prior to the City issuing a Certificate of Occupancy for the building.

Initial SDC Payment	\$10,000.00 at Building Permit Issuance
Final SDC Payment	Balance of SDC Due prior to Certificate of

Occupancy

SDC Credit Certificate Administration Fees

(SMC 3.417) (1) In the event a credit authorized under section 3.416(2) is greater than the amount of the charge due, the City shall upon request of the developer, issue to the developer a certificate, documenting the amount of the credit in excess of the charge.

(2) Such certificate may be redeemed by the developer and applied to future charges for that type of capital improvement, provided such redemption shall occur not later than 10 years after the date of issuance of the certificate.

(3) Any developer issued a certificate shall pay to the City, at the time of issuance, and annually thereafter until such certificate is redeemed, an administrative fee fixed by resolution of the Council. Failure to timely pay such annual fee shall not invalidate a certificate, but no certificate shall be transferred or redeemed until all annual fees shall have been paid.

(4) The certificate may be redeemed in whole or in parts. If the certificate is redeemed in part, the City shall, upon delivery of the certificate, issue a new certificate documenting the remaining credit available. Such reissued certificate shall expire 10 years after the date of the original certificate, and shall be considered a new certificate for purposes of the administrative fee.

(5) Such certificate may be transferred, in whole or in part, to another person, provided, however, that no such transfer shall be effective until the holder of the certificate shall surrender the same and a new certificate or certificates issued.

Initial SDC Credit Certificate Fee	\$250.00
Annual Certificate Maintenance Fee	\$250.00

Exhibit 1 CITY OF SPRINGFIELD TRIP GENERATION RATES

(I.T.E. 101TH EDITION)

Exhibits

Code	Land Use	Rate	Unit	New Trip Factor (NTF)
90	PARK-&-RIDE W/ BUS OR LT. RAIL SERV.	3.24	PARKING SPACE	1
110	GENERAL LIGHT INDUSTRIAL	4.87	TGSF	0.95
130	INDUSTRIAL PARK	3.37	TGSF	1
140	MANUFACTURING	4.75	TGSF	0.95
150	WAREHOUSING	1.71	TGSF	0.95
151	MINI-WAREHOUSE	1.45	TGSF	0.95
170	UTILITY	12.29	TGSF	0.95
210	SINGLE-FAMILY DWELLING/ DUPLEX	9.43	DU	1
220	MULTIFAMILY HOUSING (LOW-RISE)	6.74	DU	1
221	MULTIFAMILY HOUSING (MID-RISE)	4.54	DU	1
222	MULTIFAMILY HOUSING (HIGH-RISE)	4.54	DU	1
240	MOBILE HOME PARK	7.12	DU	1
251	SENIOR ADULT HOUSING-DETACHED	4.31	DU	1
252	SENIOR ADULT HOUSING-ATTACHED	3.24	DU	1
253	CONGREGATE CARE FACILITY	2.21	DU	1
254	ASSISTED LIVING	2.60	BEDS	1
310	HOTEL	7.99	ROOM	0.85
320	MOTEL	3.35	ROOM	1
411	PUBLIC PARK	0.78	ACRE	1
430	GOLF COURSE	3.74	ACRE	1
435	MULTIPURPOSE RECREATION FACILITY	35.80	TGSF	1
437	BOWLING ALLEY	11.60	TGSF	1
440	ADULT CABARET	386.70	TGSF	1
445	MOVIE THEATER	220.00	MOVIE SCREEN	1
488	SOCCER COMPLEX	71.33	FIELD	1
490	TENNIS COURT	30.32	COURT	0.85
491	RACQUET/TENNIS CLUB	27.71	COURT	0.85
492	HEALTH/FITNESS CLUB	39.20	TGSF	0.85
495	RECREATIONAL COMMUNITY CENTER	28.82	TGSF	0.85
520	ELEMENTARY SCHOOL	2.27	STUDENT	0.85
522	MIDDLE/JUNIOR HIGH SCHOOL	2.10	STUDENT	0.85
525	HIGH SCHOOL	1.94	STUDENT	0.85
540	JUNIOR/COMM. COLLEGE	1.15	STUDENT	0.85
560	CHURCH	7.60	TGSF	1
565	DAY CARE FACILITY	4.09	PER ENROLLEE	1
590	LIBRARY	72.05	TGSF	0.5
610	HOSPITAL	10.77	TGSF	0.85
620	NURSING HOME	3.06	BED	0.95
630	CLINIC	37.60	TGSF	0.95
710	GENERAL OFFICE BUILDING	10.84	TGSF	0.9
714	CORPERATE HEADQUARTERS BLDG	7.95	TGSF	0.9
715	SINGLE TENANT OFFICE BLDG	13.07	TGSF	0.9
720	MEDICAL/DENTAL, VET. OFFICE	36.00	TGSF	0.85
730	GOVERNMENT OFFICE BUILDING	22.59	TGSF	0.9
732	US POST OFFICE	103.94	TGSF	0.75
750	OFFICE PARK	11.07	TGSF	0.9
770	BUSINESS PARK	12.44	TGSF	0.9
812	BLDG MATERIALS & LUMBER	17.05	TGSF	0.75
813	FREE STANDING DISCOUNT SUPERSTORE	50.52	TGSF	0.71
814	VARIETY STORE	63.66	TSFGLA	0.66
815	FREE STANDING DISCOUNT STORE	53.87	TGSF	0.77
816	HARDWARE/PAINT STORE	8.07	TGSF	0.74
817	NURSERY (GARDEN CENTER)	68.10	TGSF	0.75

Exhibits

Code	Land Use	Rate	Unit	New Trip Factor (NTF)
90	PARK-&-RIDE W/ BUS OR LT. RAIL SERV.	2.81	PARKING SPACE	1
110	GENERAL LIGHT INDUSTRIAL	4.96	TGSF	0.95
130	INDUSTRIAL PARK	3.37	TGSF	1
140	MANUFACTURING	3.93	TGSF	0.95
150	WAREHOUSING	1.74	TGSF	0.95
151	MINI-WAREHOUSE	1.51	TGSF	0.95
170	UTILITY	13.24	TGSF	0.95
210	SINGLE-FAMILY DWELLING/ DUPLEX	9.44	DU	1
220	MULTIFAMILY HOUSING (LOW-RISE)	7.32	DU	1
221	MULTIFAMILY HOUSING (MID-RISE)	5.44	DU	1
222	MULTIFAMILY HOUSING (HIGH-RISE)	4.45	DU	1
240	MOBILE HOME PARK	5.00	DU	1
251	SENIOR ADULT HOUSING-DETACHED	4.27	DU	1
252	SENIOR ADULT HOUSING-ATTACHED	3.44	DU	1
253	CONGREGATE CARE FACILITY	2.02	DU	1
254	ASSISTED LIVING	2.60	BEDS	1
310	HOTEL	8.36	ROOM	0.85
320	MOTEL	3.35	ROOM	1
411	PUBLIC PARK	0.78	ACRE	1
430	GOLF COURSE	3.74	ACRE	1
435	MULTIPURPOSE RECREATION FACILITY	35.80	ACRE	1
437	BOWLING ALLEY	11.60	TGSF	1
440	ADULT CABARET	38.67	TGSF	1
444	MOVIE THEATER	220.00	MOVIE SCREEN	1
445	MULTIPLEX MOVIE THEATER	258.40	MOVIE SCREEN	1
488	SOCCER COMPLEX	71.33	FIELD	1
490	TENNIS COURT	30.32	COURT	0.85
491	RACQUET/TENNIS CLUB	27.71	COURT	0.85
492	HEALTH/FITNESS CLUB	39.20	TGSF	0.85
495	RECREATIONAL COMMUNITY CENTER	28.82	TGSF	0.85
520	ELEMENTARY SCHOOL	1.89	STUDENT	0.85
522	MIDDLE/JUNIOR HIGH SCHOOL	2.13	STUDENT	0.85
530	HIGH SCHOOL	2.03	STUDENT	0.85
540	JUNIOR/COMM. COLLEGE	1.15	STUDENT	0.85
560	CHURCH	6.95	TGSF	1
565	DAY CARE FACILITY	4.09	PER ENROLLEE	1
590	LIBRARY	72.05	TGSF	0.5
610	HOSPITAL	10.72	TGSF	0.85
620	NURSING HOME	3.06	BED	0.95
630	CLINIC	38.16	TGSF	0.95
710	GENERAL OFFICE BUILDING	9.74	TGSF	0.9
714	CORPORATE HEADQUARTERS BLDG	7.95	TGSF	0.9
715	SINGLE TENANT OFFICE BLDG	11.25	TGSF	0.9
720	MEDICAL/DENTAL, VET. OFFICE	34.80	TGSF	0.85
730	GOVERNMENT OFFICE BUILDING	22.59	TGSF	0.9
732	US POST OFFICE	103.94	TGSF	0.75
733	GOVERNMENT OFFICE COMPLEX	33.98	TGSF	0.9
750	OFFICE PARK	11.07	TGSF	0.9
770	BUSINESS PARK	12.44	TGSF	0.9

Exhibits

812	BLDG. MATERIALS & LUMBER	18.05	TGSF	0.75
813	FREE STANDING DISCOUNT SUPERSTORE	50.70	TGSF	0.71
814	VARIETY STORE	63.47	TSFGLA	0.66
815	FREE STANDING DISCOUNT STORE	53.12	TGSF	0.77
816	HARDWARE/PAINT STORE	9.14	TGSF	0.74
817	NURSERY (GARDEN CENTER)	68.10	TGSF	0.75
818	NURSERY (WHOLESALE)	39.00	TGSF	0.75
820	SHOPPING CENTER <10TGSF	125.60	TGFGLA	0.35
821	SHOP.CNTR.<50TGSF	75.04	TSFGLA	0.35
822	SHOP.CNTR.<100TGSF	60.12	TSFGLA	0.45
823	SHOP.CNTR.<200TGSF	48.16	TSFGLA	0.5
824	SHOP.CNTR.<300TGSF	42.30	TSFGLA	0.55
825	SHOP.CNTR.<400TGSF	38.58	TSFGLA	0.6
826	SHOP.CNTR.<500TGSF	35.92	TSFGLA	0.6
827	SHOP.CNTR.<600TGSF	33.89	TSFGLA	0.65
828	SHOP.CNTR.<800TGSF	30.91	TSFGLA	0.65
829	SHOP.CNTR.<1.0MTGSF	28.78	TSFGLA	0.65
840	AUTO SALES	27.84	TGSF	0.85
843	AUTO PARTS SALES	55.34	TGSF	0.9
848	TIRE STORE	28.52	TGSF	0.72
850	SUPERMARKET	106.78	TGSF	0.64
851	CONVENIENCE MARKET	762.28	TGSF	0.49
853	CONVENIENCE MARKET with Gas pumps	624.20	VFP	0.34
876	APPAREL STORE	66.40	TGSF	0.55
880	PHARMACY W/O DRIVE-THRU	90.08	TGSF	0.47
881	PHARMACY W/ DRIVE-THRU	109.16	TGSF	0.51
882	MARIJUANA DISPENSARY	252.70	TGSF	0.51
890	FURNITURE STORE	6.30	TGSF	0.47
895	BEVERAGE CONTAINER RECYCLING DEPOT	9.78	TGSF	0.5
897	MEDICAL EQUIPMENT STORE	6.00	TGSF	0.9
911	WALK-IN BANK	121.30	TGSF	0.75
912	DRIVE-IN BANK	100.03	TGSF	0.65
925	DRINKING PLACE	155.30	TGSF	0.5
926	FOOD CART POD	51.90	PER CART	0.55
931	QUALITY RESTAURANT	83.84	TGSF	0.56
932	HIGH TURNOVER (SITDOWN) REST	112.18	TGSF	0.57
933	FAST FOOD RESTAURANT- no drivethru	346.23	TGSF	0.5
934	FAST FOOD Rest. (or coffee cart)- with drivethru	470.95	TGSF	0.5
935	FAST FOOD with drivethru-no indoor seating	459.20	TGSF	0.4
941	QUICK LUBE VEHICLE SHOP	40.00	SVC POSIT	0.85
942	AUTOMOBILE CARE CENTER	31.10	TGSF	0.9
944	GASOLINE/SERVICE STATION	172.01	VFP	0.58
945	GASOLINE/SERVICE STATION W/MARKET	205.36	VFP	0.44
947	SELF SERVICE CAR WASH	108.00	STALL	0.65
* Require Study from Applicant			VFP - Vehicle Fueling Positions	

Exhibits

818	NURSERY (WHOLESALE)	39.00	TGSF	0.75
820	SHOPPING CENTER >150TGSF	37.01	TGFGLA	0.65
821	SHOPPING PLAZA (40 - 150 TGSF)	67.52	TSFGLA	0.45
822	STRIP RETAIL PLAZA	54.45	TSFGLA	0.35
823	FACTORY OUTLET CENTER	26.59	TSFGLA	0.65
840	AUTO SALES	27.84	TGSF	0.85
843	AUTO PARTS SALES	54.57	TGSF	0.9
848	TIRE STORE	27.69	TGSF	0.72
850	SUPERMARKET	93.84	TGSF	0.64
851	CONVENIENCE STORE	762.28	TGSF	0.49
876	APPAREL STORE	66.40	TGSF	0.55
880	PHARMACY W/O DRIVE-THRU	90.08	TGSF	0.47
881	PHARMACY W/ DRIVE-THRU	108.40	TGSF	0.51
882	MARIJUANA DISPENSARY	211.12	TGSF	0.51
890	FURNITURE STORE	6.30	TGSF	0.47
895	BEVERAGE CONTAINER RECYCLING DEPOT	9.78	TGSF	0.5
897	MEDICAL EQUIPMENT STORE	6.00	TGSF	0.9
911	WALK-IN BANK	121.30	TGSF	0.75
912	DRIVE-IN BANK	100.35	TGSF	0.65
926	FOOD CART POD	61.60	PER CART	0.55
931	FINE DINING RESTAURANT	83.84	TGSF	0.56
932	HIGH TURNOVER (SITDOWN) REST	107.20	TGSF	0.57
933	FAST FOOD RESTAURANT- no drivethru	450.49	TGSF	0.5
934	FAST FOOD Rest. (or coffee cart)- with drivethru	467.48	TGSF	0.5
935	FAST FOOD with drivethru-no indoor seating	430.00	TGSF	0.4
941	QUICK LUBE VEHICLE SHOP	40.00	SVC POSIT	0.85
942	AUTOMOBILE CARE CENTER	31.10	TGSF	0.9
944	GASOLINE/SERVICE STATION	172.01	VFP	0.58
945	GAS STATION WITH CONVENIENCE STORE	265.12	VFP	0.44
947	SELF SERVICE CAR WASH	108.00	STALL	0.65
975	DRINKING PLACE	113.60	TGSF	0.5

Exhibit 2 page 1

Metropolitan Wastewater Management Commission Regional Wastewater SDC Fee Schedule - Effective July 1, 2022		July 1, 2022							
Springfield Traffic/Waste water Code	Type of Establishment	Flow Estimation Unit (FEU)	Base Flow Impact (gal/FEU/day)	Strength	Reimburse- ment Cost per FEU	Improvement Cost per FEU	Compliance Cost per FEU	Improvement Credit for Rate Support	Total Cost per FEU
30	TRUCK TERMINAL	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
151	MINI WAREHOUSE	TGSF	30	Low	\$25.58	\$332.88	\$3.91	\$42.39	\$319.98
170	UTILITIES	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
200	OTHER RESIDENTIAL (SFD W/OTHER USES)	DU	175	Low	\$149.22	\$1,941.81	\$22.81	\$247.28	\$1,866.57
220	OTHER RESIDENTIAL - MULTI FAMILY	DU	150	Low	\$127.91	\$1,664.41	\$19.55	\$211.95	\$1,599.92
200	OTHER RESIDENTIAL - RESIDENTIAL HOTEL/MOTEL	TGSF	200	Low	\$170.54	\$2,219.21	\$26.07	\$282.60	\$2,133.22
240	OTHER RESIDENTIAL - MOBILE HOME PARK	DU	150	Low	\$127.91	\$1,664.41	\$19.55	\$211.95	\$1,599.92
220	OTHER RESIDENTIAL - SMALL HOME < = 800 SQ FT	DU	150	Low	\$127.91	\$1,664.41	\$19.55	\$211.95	\$1,599.92
210	SFD / DUPLEX	DU	175	Low	\$149.22	\$1,941.81	\$22.81	\$247.28	\$1,866.57
320/310	MOTEL / HOTEL	TGSF	200	Medium	\$283.04	\$3,062.60	\$36.50	\$377.92	\$3,004.22
411	PUBLIC PARK	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
435	MULTIPURPOSE RECREATION FACILITY (Indoor)	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
444	THEATER	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
488	OUTDOOR ATHLETIC COMPLEX	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
490	TENNIS COURT	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
491	RACQUET CLUB	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
492	HEALTH CLUB	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
437	BOWLING ALLEY	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
495	RECREATIONAL CENTER	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
500	INDUSTRIAL PROCESS LOW STRENGTH	TGALEF	1000	Low	\$852.71	\$11,096.07	\$130.35	\$1,413.02	\$10,666.11
500	INDUSTRIAL PROCESS MEDIUM STRENGTH	TGALEF	1000	Medium	\$1,415.22	\$15,313.00	\$182.49	\$1,889.61	\$15,021.09
500	INDUSTRIAL PROCESS HIGH STRENGTH	TGALEF	1000	High	\$2,165.23	\$20,935.57	\$252.01	\$2,525.07	\$20,827.73
500	INDUSTRIAL PROCESS VERY HIGH STRENGTH	TGALEF	1000	Very High	\$2,915.24	\$26,558.15	\$321.53	\$3,160.53	\$26,634.38
500	INDUSTRIAL PROCESS SUPER HIGH STRENGTH	TGALEF	1000	Super High	\$3,665.25	\$32,180.72	\$391.04	\$3,796.00	\$32,441.02
520	ELEMENTARY SCHOOL	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
522	MIDDLE SCHOOL	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
530	HIGH SCHOOL	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
540	COMMUNITY COLLEGE	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
550	UNIVERSITY	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
560	CHURCH	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
565	DAY CARE CENTER	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
590	LIBRARY	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
591	FRATERNAL ORGANIZATION	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
945	SERVICE STATION / MARKET	TGSF	180	Medium	\$254.74	\$2,756.34	\$32.85	\$340.13	\$2,703.80
610	HOSPITAL	TGSF	150	Medium	\$212.28	\$2,296.95	\$27.37	\$283.44	\$2,253.16
620	NURSING HOME	TGSF	150	Low	\$127.91	\$1,664.41	\$19.55	\$211.95	\$1,599.92
630	CLINIC, MEDICAL OFFICE	TGSF	150	Low	\$127.91	\$1,664.41	\$19.55	\$211.95	\$1,599.92
934	FAST FOOD RESTAURANT	TGSF	500	Very High	\$1,457.62	\$13,279.07	\$160.76	\$1,580.27	\$13,317.19
720	VETERINARIAN SERVICES	TGSF	200	Low	\$170.54	\$2,219.21	\$26.07	\$282.60	\$2,133.22
750	OFFICE PARK	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
770	BUSINESS PARK	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
730	GOVERNMENT BUILDING	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
732	US POST OFFICE	TGSF	100	Low	\$85.27	\$1,109.61	\$13.03	\$141.30	\$1,066.61
876	RETAIL	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
931	QUALITY RESTAURANT	TGSF	500	Very High	\$1,457.62	\$13,279.07	\$160.76	\$1,580.27	\$13,317.19
932	HIGH TURNOVER RESTAURANT	TGSF	500	Very High	\$1,457.62	\$13,279.07	\$160.76	\$1,580.27	\$13,317.19
937	EATING PLACE WITH MINIMAL FOOD PREPARATION***	TGSF	300	Low	\$255.81	\$3,328.82	\$39.10	\$423.91	\$3,199.83
835	DRINKING PLACE WITH MINIMAL FOOD PREPARATION****	TGSF	340	Low	\$289.92	\$3,772.66	\$44.32	\$480.43	\$3,626.48
932	DRINKING PLACE WITH RESTAURANT LIKE FOOD PREPARATION	TGSF	500	Very High	\$1,457.62	\$13,279.07	\$160.76	\$1,580.27	\$13,317.19
925	DRINKING PLACE	TGSF	340	Low	\$289.92	\$3,772.66	\$44.32	\$480.43	\$3,626.48
840	AUTO CARE	TGSF	40	Medium	\$56.61	\$612.52	\$7.30	\$75.58	\$600.84
841	NEW CAR SALES	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
947	CAR WASH	TGSF	500	Low	\$426.35	\$5,548.04	\$65.17	\$706.51	\$5,333.06
848	TIRE STORE	TGSF	50	Low	\$42.64	\$554.80	\$6.52	\$70.65	\$533.31
850	SUPERMARKET	TGSF	180	High	\$389.74	\$3,768.40	\$45.36	\$454.51	\$3,748.99
851	CONVENIENCE MARKET	TGSF	180	Low	\$153.49	\$1,997.29	\$23.46	\$254.34	\$1,919.90
854	DISCOUNT MARKET	TGSF	30	Low	\$25.58	\$332.88	\$3.91	\$42.39	\$319.98
890	FURNITURE STORE	TGSF	30	Low	\$25.58	\$332.88	\$3.91	\$42.39	\$319.98
895	VIDEO ARCADE	TGSF	160	Low	\$136.43	\$1,775.37	\$20.86	\$226.08	\$1,706.58
911	FINANCIAL INSTITUTION	TGSF	110	Low	\$93.80	\$1,220.57	\$14.34	\$155.43	\$1,173.27

|

National Nurses Week Proclamation

May 6 – 12, 2022

Whereas, the over 3 million registered nurses in the United States constitute our nation’s largest health care profession; and

Whereas, the nursing profession plays a critical role in improving patient outcomes, increasing access, coordinating care and reducing health-care costs; and

Whereas, the depth and breadth of the registered nursing profession meet the different and emerging health care needs of the American population in a wide range of settings; and

Whereas, a renewed emphasis on primary and preventive health care will require better utilization of all of our nation’s registered nursing resources; and

Whereas, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and

Whereas, along with the American Nurses Association, the Springfield City Council has declared the week of May 6–12 as National Nurses Week;

NOW, THEREFORE, I, Sean VanGordon, Mayor of the City of Springfield, do hereby proclaim May 6 -12, 2022 National Nurses Week in Springfield, Oregon and urge all residents to join me in this special observance.



A handwritten signature in black ink that reads "Sean VanGordon".

Sean VanGordon
Mayor

National Law Enforcement Week Proclamation

May 11 – 17, 2022

Whereas, there are more than 800,000 law enforcement officers serving in communities across the United States, including and dedicated members of the Springfield Police Department; and

Whereas, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

Whereas, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC; and

Whereas, 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years; and

Whereas, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34th Candlelight Vigil, on the evening of May 13, 2022; and

Whereas, May 15, 2022 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

NOW, THEREFORE, I, Sean VanGordon, Mayor of the City of Springfield, do hereby proclaim May 11 – 17, 2022 as National Law Enforcement Week in the City of Springfield and publicly salute the service of law enforcement officers in our community and in communities across the nation.



A handwritten signature in black ink, appearing to read "Sean VanGordon".

Sean VanGordon
Mayor

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Kristina Kraaz, CAO
Sandy Belson, DPW
Staff Phone No: 541-744-4061
Estimated Time: Consent
Council Goals: Preserve Hometown
Feel, Livability, and
Environmental Quality

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: OVERNIGHT PARKING PROGRAM CODE CHANGE

**ACTION
REQUESTED:** Conduct a second reading and adopt/not adopt the following Ordinance:

AN ORDINANCE AMENDING SECTIONS 8.000, 8.005, 8.010 AND 8.012 OF THE SPRINGFIELD MUNICIPAL CODE TO EXPAND OUTDOOR TEMPORARY EMERGENCY SHELTERS TO INCLUDE SOCIAL AND RELIGIOUS INSTITUTIONS AND ADOPTING A SEVERABILITY CLAUSE

**ISSUE
STATEMENT:** Should the City Council amend Springfield Municipal Code (SMC) 8.000-8.012 to allow temporary emergency shelters at locations that are private “religious or social institutions” as a small expansion of the current allowance for the program to operate at “churches.” This change would allow Catholic Community Services to continue operating a City-sponsored parking program site at 1025 G Street.

ATTACHMENTS: 1 – Proposed Ordinance with Exhibit A Code Amendments

**DISCUSSION/
FINANCIAL
IMPACT:** The City Council conducted a public hearing and first reading on April 18, 2022. The proposed Ordinance amends the temporary emergency shelter code in SMC 8.000-8.016, commonly referred to as the “Overnight Parking Program” to change the reference to “churches” in the code to “religious or social institutions” for outdoor shelters. “Religious or social institutions” is defined to include places of worship, private non-profit charitable services, and fraternal and private civic organizations. This change would not include public institutions like schools or community centers.

This ordinance is intended to allow Catholic Community Services’ (CCS) to continue operating an Overnight Parking Program site at 1025 G Street. The CCS service center (site location) is a charitable service and not a church. The proposed code changes also include some minor housekeeping changes.

Springfield’s Overnight Parking Program started in 2014 as a pilot project to address the need of certain individuals and families to have a safe space to park their car for a number of months. Currently, only “churches” and industrial sites may participate under the code. Overnight Parking Program sites must be part of a supervised program operated by the City or registered with the City and operated by an agent of the City. The code gives the City significant discretion in managing the program to prevent impacts to neighboring properties. Minimum requirements must be met to participate, including neighborhood compatibility. The City may revoke the authority to participate if a property is not in compliance with the program’s standards or creates other public nuisances.

CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTIONS 8.000, 8.005, 8.010 AND 8.012 OF THE
SPRINGFIELD MUNICIPAL CODE TO EXPAND OUTDOOR TEMPORARY EMERGENCY
SHELTERS TO INCLUDE SOCIAL AND RELIGIOUS INSTITUTIONS AND ADOPTING A
SEVERABILITY CLAUSE**

WHEREAS, there is a need to expand the locations where outdoor temporary emergency shelters are permitted, particularly to allow such shelters at locations that are private social or religious institutions, for the purpose of providing temporary shelter to individuals experiencing homelessness within the City of Springfield;

WHEREAS, private social or religious institutions include private property being used as a place of worship, for providing charitable services to the public by a private non-profit organization, or as a fraternal or private civic organization, but do not include public institutions such as schools or community centers; and

WHEREAS, the Common Council of the City of Springfield finds that it is in the best interest of the residents of Springfield to allow outdoor temporary emergency shelters at social and religious institutions consistent with the existing adopted program requirements;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. Sections 8.000 through 8.012 of the Springfield Municipal Code are amended as provided in Exhibit A, attached hereto and incorporated by this reference.

Section 2. Savings Clause. Except as specifically amended herein, Chapter 8 of the Springfield Municipal Code continues in full force and effect.

Section 3. Severability Clause. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

ADOPTED by the Common Council of the City of Springfield this ____ day of April, 2022, by a vote of ____ for and ____ against.

APPROVED by the Mayor of the City of Springfield, this ____ day of April, 2022.

Mayor

ATTEST:

City Recorder

EXHIBIT A
TEMPORARY EMERGENCY SHELTERS FOR PERSONS EXPERIENCING HOMELESSNESS

8.000 General.

The requirements specified in sections 8.000 to 8.016 shall be considered the minimal requirements to establish, maintain, and operate a temporary emergency shelter at a religious or social institution, governmental building, commercial building, or industrial site property. The development and public works director, or his or her appointee, shall approve the temporary emergency shelter use if the applicable requirements specified in sections 8.000 to 8.016 have been met.

8.005 Definitions.

For the purposes of sections 8.000 to 8.016 the following mean:

Place of Worship. A place for people to gather for religious activity, such as a church, synagogue, mosque, chapel, or meeting house, and having a building or buildings at least 3,000 square feet for the purposes of indoor shelter..

Cold Weather Shelter. An emergency shelter established pursuant to section 8.010 of this code, which provides shelter for individuals experiencing homelessness during the period from November 1st to March 31st, on nights when average temperature is forecasted to be below 30 degrees Fahrenheit or on nights when forecasted conditions otherwise pose a threat to human health and safety, including, but not limited to, significant accumulations of snow or ice.

Commercial Building. A building that is used for commercial purposes. It includes vacant buildings in which the most recent permanent primary use was commercial.

Emergency Shelter. A temporary emergency shelter established pursuant to section 8.010 or 8.012 of this code. It shall not be construed to mean “emergency services,” as defined in section 2.804 of this code. “Camper or trailer” shall have the same meaning as “recreational vehicle” as defined in section 6.1-100 of the Springfield Development Code.

Governmental Building. A building leased or owned by a governmental entity, upon permission of the governmental entity.

Industrial Site. Property having heavy or light-medium industrial zoning in accordance with section 3.2-400 of the Springfield Development Code and, a primary use approved in accordance development review procedures of the Springfield Development Code.

Religious or Social Institution. Private property being used as a place of worship, for providing charitable services to the public by a private non-profit organization, or as a fraternal or private civic organization.

Temporary. For shelters other than cold weather shelters, a period of 15 consecutive days or longer if the provisions of section 8.010(2) are met; or a period not to exceed 90 days when the provisions of section 8.012 are met.

8.010 Approval Process for Indoor Shelter.

A governmental entity, commercial building owner, or representative of a place of worship shall apply to the department of development and public works prior to opening an emergency shelter for persons experiencing homelessness. Prior to authorizing occupancy and annually thereafter, the fire marshal in consultation with the building official shall apply the following standards:

- (1) Whenever practical, sheltering of persons experiencing homelessness shall occur on the ground floor.

(2) For indoor shelters other than cold weather shelters, the maximum number of families shall be limited to the lesser of the following:

(a) The number of persons that would be permitted based on the zoning density. For example, if the place of worship was on one acre of land zoned Low Density Residential, approximately five single-family homes could be constructed (30 percent of the land is subtracted for streets and other nonresidential uses as specified in the Metro Plan). Considering there are approximately four persons in a family, a total of 20 persons per acre would be allowed; or

(b) 100 square feet per person, in the area designated to shelter persons experiencing homelessness.

(3) A plan shall be submitted to the department of development and public works showing how the following standards of operation will be met:

(a) The area in square feet of the portion of the building proposed to be used to shelter persons experiencing homelessness and the number of persons to be sheltered;

(b) The route persons would use to exit or enter the proposed sleeping area;

(c) The location of smoke/fire detection devices in the proposed sleeping area;

(d) The location and number of sanitation fixtures.

(4) A written explanation concerning how the persons experiencing homelessness will be supervised and any other program activities such as meals, child care, day care, social service referral, etc.

(5) The fire marshal shall have the authority to make minor modifications from these standards where practical, however, such modifications shall not be in conflict with the health, safety and welfare of the citizens of Springfield.

8.012 Approval Process for Outdoor Overnight Shelter.

(1) Notwithstanding any other provisions of this code, persons may take overnight shelter in a vehicle, camper or trailer in the parking lot of a religious or social institution or industrial site on which a parking lot and occupied structure are located in accordance with current code, with the written permission of the property owner when the site is part of a supervised program operated by the city or its agent. The number of overnight shelter vehicles, campers or trailers at any parking or industrial site shall not exceed a total of three at any one time.

(2) A property owner who permits overnight shelter on a property pursuant to subsection (1) of this section shall meet the following minimum standards in addition to any city program's rules and procedures:

(a) Vehicles used for shelter shall be located on paved areas meeting building and property line setbacks in accordance with city codes;

(b) Provide or make available sanitary facilities;

(c) Provide garbage disposal services in accordance with city ordinances;

(d) Provide a storage area for campers to store any personal items so the items are screened and not visible from any public street;

(e) Not require payment of any fee, rent or other monetary charge for overnight sleeping authorized by this section.

(3) A property owner who permits overnight shelter pursuant to subsection (1) may revoke that permission at any time and for any reason. Upon revocation of permission for overnight shelter the permittee shall leave the property immediately.

(4) Notwithstanding any other provision of this section, the city manager or the manager's designee may:

(a) Prohibit overnight shelter pursuant to this section on a property if the city finds that such an activity on that property is incompatible with the use of adjacent properties or constitutes a nuisance or other threat to the public welfare; or

(b) Revoke permission for a person to use overnight shelter pursuant to this section if the city finds that the person has violated any applicable law, ordinance, rule, guideline or agreement, or that the activity is incompatible with the use of the property or adjacent properties.

(5) Nothing in this section creates any duty on the part of the city or its agents to ensure the protection of persons or property with regard to permitted overnight shelter.

(6) Nothing in this section creates any requirement, right or responsibility of the participants to act as a private security provider or provide private security services as defined by ORS 181A.840(7) and (8).

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Mary Bridget Smith/CAO
Staff Phone No: 541-744-4061
Estimated Time: Consent Calendar
Council Goals: Mandate

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE REGARDING CRIMINAL MISDEMEANORS AND VIOLATIONS, AND STATE TRAFFIC OFFENSES

ACTION REQUESTED: Conduct a second reading on the following ordinance: AN ORDINANCE AMENDING SPRINGFIELD MUNICIPAL CODE SECTIONS 5.100 AND 5.104, ADDING SECTIONS 6.000 AND 6.002, AND ADOPTING A SEVERABILITY CLAUSE

ISSUE STATEMENT: This Ordinance is intended to include any changes in the state criminal statutes listed in SMC Sections 5.100 and 5.104 that occurred in recent legislative sessions and add specific reference to state traffic misdemeanors and violations in new SMC sections 6.000 and 6.002 to expressly provide that state traffic offenses are also an offense against the City.

ATTACHMENTS: 1: Ordinance

**DISCUSSION/
FINANCIAL
IMPACT:** A public hearing and first reading of the proposed Ordinance was held on April 18, 2022.

Springfield Municipal Code Sections 5.100 through 5.104 adopt by reference and make state misdemeanor and violation crimes an offense against the City of Springfield so they may be prosecuted in Springfield Municipal Court. This section is updated on a periodic basis to capture any changes that have occurred in the incorporated statutes during recent legislative sessions.

For example, since last updating this section of the municipal code, the Oregon Legislature passed a bill making it a crime to display a noose. It also amended the laws governing marijuana and psilocybin.

The City currently enforces state traffic misdemeanors and violations under municipal court authority in ORS 221.339. However, to make clear to the public that Springfield has authority to enforce state traffic laws in Springfield Municipal Court, the City Prosecutor has requested the City Council adopt specific reference to the Oregon Vehicle Code within the Springfield Municipal Code. Adding this section would not affect current enforcement of traffic offenses in Springfield, except to be more clear that state traffic offenses are also City of Springfield traffic offenses.

The addition of Sections 6.000 and 6.002 to the Springfield Municipal Code will clarify any ambiguity as to whether state traffic offenses constitute an offense against the City.

CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____ (General)

**AN ORDINANCE AMENDING SPRINGFIELD MUNICIPAL CODE SECTIONS 5.100 AND 5.104,
ADDING SECTIONS 6.000 AND 6.002, AND ADOPTING A SEVERABILITY CLAUSE**

WHEREAS, the Springfield Municipal Court has jurisdiction to prosecute criminal misdemeanors and violations, and state traffic offenses that occur within the Springfield city limits;

WHEREAS, the City of Springfield has an interest in ensuring the public safety by preventing the commission of criminal and traffic offenses;

WHEREAS, the City of Springfield has an interest in preventing conduct that unjustifiably and inexcusably inflicts or threatens substantial harm to the individual or public interest;

WHEREAS, it is in the public interest for the City of Springfield to include and adopt by reference the penalties and statutory language for criminal misdemeanors and violations, and traffic offenses as currently described in the Oregon Revised Statutes;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. Section 5.100 "Definitions" of the Springfield Municipal Code is hereby amended to read as follows:

"The definitions contained in ORS Chapters 161, 162, 163, 163A, 164, 165, 166, 167, 181A, 471, 475, 475A, 475C and 480.111-165, as currently in effect, are adopted by reference and made a part of this chapter."

Section 2. Section 5.104 "Misdemeanors and Violations – State Statutes Adopted" of the Springfield Municipal Code is hereby amended to read as follows:

"(1) Each misdemeanor and violation made an offense against the state under the provisions of the ORS Chapters 161, 162, 163, 163A, 164, 165, 166, 167, 181A, 471, 475, 475A, 475C and 480.111-165, current in effect and constituted, are adopted by reference and made a part of this chapter and designated an offense against the City.

(2) A person who violates any one of the provisions within the jurisdiction of the City is in violation of this chapter and shall be charged with the offense of violating Section 5.104 of this Code, and reference shall be made in the charging instrument to that particular section of the ORS, as incorporated by reference, which has been violated. If any other section of this chapter or any other SMC ordinance creates a specific misdemeanor or violation offense in conflict with an ORS misdemeanor or violation offense incorporated by reference in this chapter, the provisions of the ORS regarding misdemeanor or violation offense incorporated by reference, shall govern."

Section 3. Section 6.000 "Definitions" is hereby added to the Springfield Municipal Code to read as follows:

"The definitions contained in ORS Chapters 801, 802, 803, 805, 806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819, 820, 821, 822, 823, 825, 826, and OAR 740.100.0010 issued

thereunder, and Chapter 153 are adopted by reference and made part of this chapter, except where this code explicitly provides otherwise or context clearly indicates a different meaning.”

Section 4. Section 6.002 “Oregon Vehicle Code” is hereby added to the Springfield Municipal Code to read as follows:

“(1) Each misdemeanor and violation made an offense against the state under the provisions of ORS Chapters 801, 802, 803, 805, 806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819, 820, 821, 822, 823, 825, 826, and OAR 740.100.0010 issued thereunder, and Chapter 153, current in effect and constituted, are adopted by reference and made a part of this chapter and designated an offense against the City.

(2) A person who violates any one of the provisions within the jurisdiction of the City is in violation of this chapter and shall be charged with the offense of violating Section 6.002 of this Code, and reference shall be made in the charging instrument to that particular section of the ORS, as incorporated by reference, which has been violated. If any other section of this chapter or any other SMC ordinance creates a specific misdemeanor or violation offense in conflict with an ORS misdemeanor or violation offense incorporated by reference in this chapter, the provisions of the ORS regarding misdemeanor or violation offense incorporated by reference, shall govern.”

Section 5. Severability Clause. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

ADOPTED by the Common Council of the City of Springfield this _____ day of _____, 2022, by a vote of _____ for and _____ against.

APPROVED by the Mayor of the City of Springfield this _____ day of _____, 2022.

Mayor

ATTEST:

City Recorder

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Scott Miller
Staff Phone No: 541-726-3673
Estimated Time: Consent Calendar
Council Goals: Maintain and Improve Infrastructure and Facilities

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: BID AWARD FOR PROJECT P21137; Springfield Traffic Modernization (Radio Systems)

ACTION**REQUESTED:** Approve or reject the following motion:

TO AWARD THE SUBJECT CONTACT TO L.R. BRABHAM INC. FOR THE AMOUNT OF \$149,610.

ISSUE**STATEMENT:** Two bids were received for this Traffic Modernization project. Contract award is now necessary to enable work to proceed. This work is needed to replace the existing radio system that was made obsolete when the Federal Communications Commission reallocated the radio frequency to non-governmental purposes, and to replace legacy wireline modem communications, both of which serve as communications between traffic signals and the central signal management system on City computer network servers.

ATTACHMENTS:

1. Bid Summary
2. Contract

DISCUSSION/**FINANCIAL****IMPACT:**

This project consists of installing Radio Signals forty-five (45) traffic signals and installing new radio equipment at the 120ft base station tower located on Willamette Heights.

The following bids were received and opened on March 24th, 2022.

Engineers Estimate: \$110,200

L.R Brabham Inc. \$149,610

AAKEN Corp. \$745,200

L.R Brabham Inc. is the low bidder on this project. Funding for this project is from the traffic modernization funds, which includes match funds from ODOT.



City's Notice of Intent to Award as required by ORS 279C.375

It is the policy of the City of Springfield to award Contracts to the Responsible Bidder submitting the lowest Responsive Bid. The City of Springfield reserves its right to reject any or all bids not in compliance with all prescribed public bidding procedures and requirements, waive minor irregularities not affecting substantial rights, and may reject for good cause any or all bids upon a finding of the City of Springfield that it is in the best public interest to do so, and accept such bids that in the opinion of the Springfield City Council are in the best interest of the City of Springfield. Please be informed that the City intends to award a contract to the Bidder so designated.

SUMMARY OF UNIT PRICE BIDS RECEIVED:

PROJECT: Springfield Traffic Systems Modernization - Radio Systems

PROJECT NO. #P21137

Lowest Responsive Bidder:

L.R. Brabham, Inc.

ITEM NO.	Radio Equipment	Signal Type	Approx. Locations to be installed	Per	ENGINEER'S	ENGINEER'S	L.R. Brabham, Inc.		AAKEN CORP	
					UNIT PRICE ESTIMATE	EXTENDED UNIT PRICE ESTIMATE	UNIT PRICE	EXTENDED PRICE		EXTENDED PRICE
1	Radio, POE, Cat5e	Backhaul	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 2,145.00	\$ 2,145.00	\$ 9,600.00	\$ 9,600.00
2	Radio, POE	Traffic Shop	1	EA	\$ 500.00	\$ 500.00	\$ 1,125.00	\$ 1,125.00	\$ 13,000.00	\$ 13,000.00
3	Radio, Mount, POE, Modem, Cat5e	Veh/Ped	40	EA	\$ 2,500.00	\$ 100,000.00	\$ 2,985.00	\$ 119,400.00	\$ 12,895.00	\$ 515,800.00
4	Switch, Rack, Modem	Veh/Ped	2	EA	\$ 600.00	\$ 1,200.00	\$ 825.00	\$ 1,650.00	\$ 12,000.00	\$ 24,000.00
5	Switch, Radio, Mount, POE, Modem, Cat5e	Veh/Ped	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 3,245.00	\$ 3,245.00	\$ 15,000.00	\$ 15,000.00
6	Install Base Station Radio	n/a	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 8,840.00	\$ 8,840.00	\$ 28,900.00	\$ 28,900.00
7	Temporary Traffic Control	n/a	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 13,205.00	\$ 13,205.00	\$ 138,900.00	\$ 138,900.00
						\$ -		\$ -		\$ -
						\$ -		\$ -		\$ -
PROJECT BID ITEM - TOTAL						\$ 110,200.00		\$ 149,610.00		\$ 745,200.00
Percent Over or Under Engineer's Estimate								35.76%		576.23%



CITY OF SPRINGFIELD CONTRACT
State and Local Funding Sources

Project No. P21137

Project Title: Springfield Traffic System Modernization – (Radio Signals)

Description: This work shall include all materials and labor to install, test, and place in service a Subscriber Radio at forty-five (45) traffic signals within the City limits. This work shall also include all materials, and labor to install, test, and place in service the Base Station radio located atop the 120ft tower on Willamette Heights. All work on the Subscriber Radios and the Base Station shall be as recommended by the manufacture, as described in the Special Provisions, and/or as directed by the Engineer.

THIS CONTRACT, made and entered into this _____ day of _____, 2022, between the City of Springfield, under and by virtue of the Charter, Laws, and Ordinances of the said City of Springfield, and the laws of the State of Oregon, and L.R. Brabham hereinafter called the Contractor.

WITNESSETH:

That in consideration of the payments, covenants and contracts hereinafter mentioned, attached and made a part of this Contract, to be made and performed by the parties hereto, the parties hereto covenant and agree as follows:

1. GENERAL REQUIREMENTS

This Contract, signed by both parties, supersedes all prior and contemporaneous oral or written communications between the parties, their agents and representatives. This Contract, as signed by both parties, shall be composed of each and every one of the following listed parts and all approved revisions thereto; and shall be interpreted so as to give the effect to the purpose of the Contract. In the event of a conflict or ambiguity, the precedence provision of Section 104.03 shall apply.

1. Change Orders
2. Addenda to the Special Provisions
3. Special Provisions
4. Addenda to General Conditions and Standard Specifications
5. General Conditions and Specifications
6. Contract Plans
7. Standard Drawings
8. Instruction to Bidders
9. Bid Proposal

The Contractor shall furnish all materials, tools, equipment, labor, and do all work necessary and incidental to completing this Contract, in accordance with the requirements of the documents pertinent thereto, including those listed in Section 104.02 of the Standard Specifications in their entirety, which are also set forth hereinabove.

The Contractor shall so complete this Contract and present same to the City on or before the time specified in the Bid Proposal. The total probable estimated cost of the Contract as stated on the Bid is One hundred and forty-nine thousand, six hundred and ten dollars (\$149,610). It is agreed that the actual final total cost per item and total Contract may vary in accordance with the provisions of the Bid, Section 102.10 of the Standard Specifications, and Article 4 of the Instructions to Bidders.

2. CONTRACT COMPLETION

The City of Springfield hereby promises and agrees, with the Contractor, to contract with and does hereby contract with the Contractor to complete this Contract in accordance with the above requirements, including any change orders, provided that a reasonable and equitable change order can be agreed upon between the Contractor and the City. In event of failure to so agree on any required change order, the City may then proceed with such work in any manner the City may elect. Such a situation and action by the City shall in no way relieve either the Contractor or the City of their respective obligations and responsibilities regarding all other requirements of this Contract.

3. FULL PERFORMANCE BY CONTRACTOR

The Contractor, for itself, and for its heirs, executors, administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.

4. NO LIABILITY TO CITY

It is further provided that no liability shall attach to the City by reason of entering into this Contract, except as expressly provided herein.

5. CITY BONDING

The Contractor shall file with the City of Springfield at the time of execution of this Contract both a Performance Bond and Payment Bond issued by a surety company registered to issue bonds in the State of Oregon, and utilizing bond forms acceptable to the City. The City will accept AIA Document A312-2010 Performance and Payment Bonds (sample forms enclosed). The Bonds may not be altered.

The bonds shall be in the amounts of one hundred percent (100%) of this Contract. All bonding shall remain in force for one (1) year after the date of City Council acceptance of the work, to cover all guarantees against defective workmanship and materials and execution of and in accordance with this Contract, and to guarantee payment to all persons supplying labor and materials for the construction of the work. Failure to maintain the proper bonding shall be grounds for immediate termination of the Contract.

6. HOLD HARMLESS AND INDEMNIFICATION

The Contractor shall defend, indemnify and hold harmless the City from and against all liability or loss and against all claims or actions based upon or arising out of damage or injury to persons or property caused by or sustained in connection with performance of this Contract by the Contractor except, pursuant to ORS 30.140, for losses, claims, or actions resulting from the sole negligence of the City.

The Contractor shall assume all responsibilities for the work, and bear all losses and damages directly or indirectly resulting to the Contractor, the City, or to others on account of the character or performance of the work, unforeseen difficulties, accidents, or any other causes whatsoever. The Contractor shall assume defense of, indemnify and save harmless the City, its officials, agents, and employees from all claims, liability, loss, damage, and injury of every kind, nature and description, directly or indirectly resulting from activities in the performance of the Contract, the ownership, maintenance or use of motor vehicles in connection therewith, or the acts, omissions, operations, or conduct of the Contractor or any Subcontractor under the Contract or any way arising out of the Contract, irrespective of whether an act, omission or conduct of the City connected with the Contract is a condition or contributory cause of the claim, liability loss, damage or injury and irrespective of whether act, omission, or conduct of the Contractor or Subcontractor is merely a condition rather than a cause of a claim, liability, loss damage or injury. The Contractor shall not be liable for, nor be required to defend or indemnify, the City relative to claims for damage or damages resulting solely from acts or omissions of the City, its officials, agents, or employees. The absence of or inadequacy of the liability insurance required in section 7 shall not negate Contractor's obligations in this paragraph.

7. INSURANCE

All insurance shall carry a rating of A- or better with A. M. Best and must be approved by the City as to terms, conditions and form prior to beginning work. Certificates of insurance evidencing all policies and endorsements required by this Contract shall be delivered to the Owner prior to the commencement of any work. The Owner has the right to reject any certificate or endorsement for unacceptable coverage and/or

companies.

A. Liability and Property Damage

The Contractor shall maintain in force for the duration of the Contract, to include the warranty period, a Commercial General Liability insurance policy written on an occurrence basis with limits not less than \$2,000,000 per occurrence and \$3,000,000 in the aggregate. The policy will be endorsed with Additional Insured, Per Project Aggregate, Products and Completed Operations and Primary and Noncontributory endorsements. The City, its employees, officials and agents will be named as Additional Insured's where operations are being conducted related to this Contract on the Commercial General policy as respects to work or services performed under this Contract to the extent that the death or bodily injury to persons or damage to property arises out of the fault of the Contractor or the fault of the Contractor's agents, representatives or Subcontractors. The following statement will appear on the face of the certificate; "The City, its employees, officials and agents are all named as additional insured while acting in their capacity as such." The City's Additional Insured status for Products and Completed Operations hazards shall extend for at least one year beyond formal Council acceptance of the project. This insurance shall be primary and shall be paid and applied first in its entirety prior to any application of insurance the CITY may carry on its own. A 30-day notice of cancellation or material change in coverage clause shall be included.

The Contractor shall maintain in force for the duration of the Contract, to include the warranty period, an Automobile Liability insurance policy (owned, non-owned, and hired) with limits not less than \$1,000,000 per occurrence. The policy will be endorsed with Additional Insured and Primary and Noncontributory endorsements. The City, its employees, officials and agents will be named as Additional Insured's where operations are being conducted related to this Contract on the Automobile Liability policy as respects to work or services performed under this Contract to the extent that the death or bodily injury to persons or damage to property arises out of the fault of the Contractor or the fault of the Contractor's agents, representatives or Subcontractors. The following statement will appear on the face of the certificate; "The City, its employees, officials and agents are all named as additional insured while acting in their capacity as such." This insurance shall be primary and shall be paid and applied first in its entirety prior to any application of insurance the CITY may carry on its own. A 30-day notice of cancellation or material change in coverage clause shall be included.

B. Workers' Compensation

The Contractor shall provide and maintain Workers' Compensation coverage with limits no less than \$500,000 for it employees, officers, agents, or partners, as required by applicable Workers' Compensation laws. If the Contractor is exempt from this coverage a written statement, signed by the Contractor, explaining the reason for the exemption will be provided to the City prior to commencement of any work.

C. Course of Construction and/or Installation Floater

In the event Course of Construction/Installation Floater insurance is required by the City due to unique project specifications or the Contractor requests advance payment by the City for the purchase of materials pursuant to Section 109.07 of the City of Springfield Standard Construction Specifications, the Contractor shall provide Course of Construction/Installation Floater insurance in an amount equal to the value of the advance payment requested. The policy shall provide coverage for all risks and shall be approved by the City as to terms, conditions and form covering the replacement cost of the applicable materials prior to the release of payment. The policy shall name the City of Springfield as Loss Payee. The coverage shall be maintained in full force for the duration of this Contract. The City, at its option, may elect to obtain additional coverage.

D. Asbestos Abatement (only applicable to Asbestos Specific Contracts)

If applicable to this Contract, the Contractor shall maintain in full force a Commercial General Liability policy approved by the City as to terms, conditions and form that is Asbestos Specific with a minimum limit of \$2,000,000 per occurrence and \$3,000,000 in the aggregate written on a form that meets the following criteria:

- a. A full occurrence form, or

- b. A limited occurrence form with at least a three-year (3) tail, or
- c. A claims made form with a three-year (3) tail.

E. Pollution Liability Coverage (only applicable to Pollution Specific Contracts)

If applicable to this Contract, the Contractor shall maintain in full force a Commercial General Liability policy approved by the City as to terms, conditions and form that is Pollution Specific with a minimum limit of \$2,000,000 per occurrence and \$3,000,000 in the aggregate written on a form that meets the following criteria:

- a. A full occurrence form, or
- b. A limited occurrence form with at least a three-year (3) tail, or
- c. A claims made form with a three-year (3) tail.

F. Professional Liability Coverage (only applicable to Contract if specified)

If Professional Liability insurance is required, the City must approve the terms, conditions and limits prior to commencement of any work.

G. Additional Policies and Special Coverages

Refer to the Special Provisions section of this Contract for additional coverages that may be required.

H. Railroad Protective Liability Coverage

If work being performed under this Contract is near railroad tracks or a railroad right of way and the Railroad requires special insurance (for example: Railroad Protective Liability Coverage) Contractor will be responsible for meeting the Railroad insurance requirements before any work commences. Any insurance required to be purchased by the Railroad is in addition to the insurance required by the City.

I. Subcontractors

The Contractor shall require all Subcontractors to provide and maintain General Liability, Auto Liability and Workers' Compensation insurance and, as applicable, Professional, Asbestos and Pollution Liability with coverage's equivalent to those required of the General Contractor in this Contract. The Contractor shall require certificates of insurance from all Subcontractors as evidence of coverage. Upon request, the Contractor shall provide certificates of insurance for all Subcontractors performing work on the project to the City.

J. Additional Insured Endorsement

All certificates of insurance, with the exception of Professional Liability and Railroad Protective Liability, must include an endorsement which lists the City of Springfield as a named additional insured. The following statement will appear on the face of the certificate; "The City, its employees, officials and agents are all named as additional insured while acting in their capacity as such."

K. Evidence of Coverage and Notice of Cancellation or Material Change in Coverage

Evidence of the required coverages issued by a company satisfactory of the City shall be provided to the City by way of a certificate of insurance before any work or services commence. A 30-day notice of cancellation or material change in coverage clause shall be included.

If the approved insurance company will not provide this 30 day notice, it shall be the responsibility of the Contractor to provide written notice to the City within two (2) days of the Contractor becoming aware that their coverage has been cancelled or materially changed. The Contractor shall e-mail notification directly to [Tonja Kling at tkling@springfield-or.gov](mailto:Tonja.Kling@springfield-or.gov). Regardless of the circumstances causing the Contractor's insurance coverage to cease or be modified, it is the Contractor's responsibility to notify the City as described above.

Failure to maintain the proper insurance or provide notice of cancellation or material change shall, at the City's option, be grounds for immediate termination of this Contract. _____

(Contractor initials)

L. Equipment and Material

The Contractor shall be responsible for any loss, damage, or destruction of its own property, equipment, and materials used in conjunction with the work.

8. INDIAN GRAVES AND PROTECTED OBJECTS

The Contractor warrants that it will observe all applicable requirements of ORS 97.740 et. seq. regarding Indian Graves and Protected Objects (ORS 358.905-.961 and ORS 390.235-.240).

In the event the Contractor or any of its Subcontractors or agents discover, become aware of, or find any Native Indian Artifacts, sites, human remains, or funerary objects on the real property on which the Contractor is fulfilling this Contract, the Contractor will immediately safeguard the artifacts and site, halt construction activities at the area of the find, and immediately notify City. Such artifacts may include but not be limited to charred and cracked rocks or charcoal layers of soil indicating a hearth or oven, stone chips of obsidian and other colored rocks, stone bowls, arrow and spear points, stone tools, and bone fragments. All artifacts found shall be turned over to the City for appropriate disposition in accordance with applicable law. Upon receipt of notification the City will retain a consultant archeologist to conduct an initial assessment of significance of the find. The Contractor and City will work together to comply with all applicable requirements of ORS 97.740 et. seq. in a manner which has least impact upon the construction schedule. If compliance requires some adjustment of the construction schedule, the Contractor and the City shall make reasonable adjustments.

9. TIME IS OF THE ESSENCE

Time is of the essence in the Contractor's performance of the Contract. Delays in the Contractor's performance of the work may inconvenience the public, interfere with business and commerce, and increase cost to the City. It is essential and in the public interest that the Contractor prosecute the work vigorously to Contract completion. The City does not waive any rights under the Contract by permitting the Contractor to continue to perform the Contract, or any part of it, after the Contract Time of Completion specified, or as adjusted by Contract Change Order, has expired.

A. Liquidated Damages

The City of Springfield and the Contractor agree that; (a) time is of the essence; (b) the amounts so fixed are reasonable forecasts of just compensation for the harm that is caused by the breach; (c) the harm that is caused by the breach is one that is incapable of or very difficult of accurate estimation; and, (d) the amount so fixed is not fixed as a penalty to coerce performance of the Contract but is rather intended to be a genuine pre-estimation of injury to the City of Springfield in lieu of performance within the Contract time by the Contractor or the Contractor's failure to report sewage spills. Therefore, it is agreed as follows:

1. Delay

It is agreed by the City of Springfield and by the Contractor that the need exists for a damage provision in the event the Contractor fails to complete the work within the Contract time specified, or any extension thereof, by the City of Springfield. The City of Springfield and the Contractor further agree that the Contractor shall be liable to the City of Springfield for fixed, agreed and liquidated damages for each and every calendar day of delay in the amount of \$500.00 per day in accordance with Subsection 108.07 of the Standard Construction Specifications.

2. Failure to Report Sewage Spills

The Contractor also agrees to liquidated damages in the amount of \$500.00 per incident for failure to report sewage spills plus an amount sufficient to reimburse the City for any civil and administrative penalties paid by the City as a result of the Contractor's failure to report. Failure to report sewage spills may subject the City to (1) civil penalties of up to \$32,500.00 per day of violation pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d); (2) administrative penalties of up to \$11,000.00 per day for each violation, pursuant to Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g); or (3) civil action in federal court for injunctive relief pursuant to Section 309(b) of the Clean Water Act, 33 U.S.C. § 1319(b).

10. PREVAILING WAGE RATE PROVISIONS

Oregon law requires that if prevailing wage rate law applies a public agency must pay the prevailing wage rate for all contracts over \$50,000. For contracts over \$50,000, Contractor will comply with the applicable requirements of ORS 279C.800 through 279C.870 including the provisions in this Section 10.

A. Notice

In the event that total cost of the contract as specified in Section 1 "General Requirements" does not initially exceed \$50,000 but during the scope of work increases through amendments, change orders, additions, supplements, other contracts, or through any other reason or process, formal or informal, planned or unplanned, to an amount greater than \$50,000 then the entire contract is covered under the requirements of the prevailing wage rate law as described below.

B. Prevailing Wage Rate

Each worker in each trade or occupation employed in the performance of this Contract either by the Contractor, Subcontractor or other person doing or contracting to do or contracting for the whole or any part of the work on the Contract, must be paid not less than the applicable prevailing wage rate. Prevailing wage rate payments include fringe benefits, for each trade or occupation in the locality where such labor or work is performed, as determined by the commissioner, in which the workers are employed. The existing rate of wage is the rate, in effect at the time the initial specifications were first advertised for bid solicitations as determined by the Commissioner of the Bureau of Labor and Industries under ORS279C.815. Information regarding the Prevailing Wage Rate that is applicable to this Contract is contained in the document titled "Prevailing Wage Information" which is included within the Invitation to Bid documents and is incorporated herein by reference.

C. Submission of Certified Payrolls

As specified in ORS 279C.845, the Contractor or the Contractor's surety and every Subcontractor or the Subcontractor's surety shall file certified statements with the public agency in writing, on a form prescribed by the Commissioner of the Bureau of Labor and Industries, certifying the hourly rate of wage paid each worker whom the Contractor or the Subcontractor has employed upon the public works, and further certifying that no worker employed upon the public works has been paid less than the prevailing rate of wage or less than the minimum hourly rate of wage specified in the Contract. The certificate and certified statement shall be verified by the oath of the Contractor or the Contractor's surety or Subcontractor or the Subcontractor's surety that the Contractor or Subcontractor has read the certified statement and certificate and knows the contents thereof and that the same is true to the Contractor or Subcontractor's knowledge. Certified statements (also referred to as certified payroll reports) shall be submitted to the City no later than the 5th business day of the following month for which the certified statement and certificate are being presented, regardless of whether any actual work is performed on the project or not. This information must be submitted to the City and also retained by the Contractor and Subcontractor(s) for three years.

Contracting agencies and general contractors are required to withhold 25% of amounts to Contractors if certified payrolls are not filed by the Contractor as required for work performed on projects subject to the prevailing wage rate law. Failure of Contractors to comply with the certified payroll filing requirements of the law, therefore, will result in a negative fiscal impact to those Contractors of up to 25% of their amount owed.

Each worker employed in the performance of this contract, either by the Contractor or Subcontractor or other person doing or contracting to do or contracting for the whole or any part of the work of the contract, must be paid not less than the specified minimum hourly rate of wage in accordance with ORS 279C.838 and 279C.840.

11. BONDING TO BE FILED WITH THE CONSTRUCTION CONTRACTORS BOARD

As specified in ORS 279C.836, the Contractor shall file a public works bond with a corporate surety in the amount of \$30,000.00 with the Construction Contractors Board before starting work on a Contract for a public works project subject to the provisions of the Prevailing Wage Rate Law (ORS 279C.800 to 279C.870)

with a total Contract price greater than \$100,000. In addition, as specified in ORS 279C.830, the Contractor shall include a provision in any and all subcontracts requiring the all Subcontractors have a valid bond filed with the Construction Contractor's Board before starting work on a project, as applicable, unless exempt. Exemptions from the bond requirement may be granted under specific circumstances as outlined in ORS 279C.836(7) for certified disadvantaged, minority, women or emerging small business enterprises. The Contractor shall contact BOLI regarding qualifications for such exemptions.

If qualified, the enterprise must provide the Construction Contractor's Board with written notification of its certification. In addition, the enterprise must notify the City that a public works bond has not been filed and provide proof of qualification prior to commencing work.

By signing this Contract, the Contractor certifies that the Contractor, and any Subcontractor who will perform work under this Contract, will file a public works bond with the Construction Contractors Board as required prior to beginning work on the project.

12. INELIGIBLE CONTRACTORS LIST

No Contractor, Subcontractor or any firm, corporation, partnership or association in which the Contractor or Subcontractor has a financial interest who appears on *the List of Contractors Ineligible to Receive Public Works Contracts*, as established by the Bureau of Labor and Industries, will perform work under this Contract, as specified in ORS 279C.860.

No Contractor, Subcontractor or any firm, corporation, partnership or association in which the Contractor or Subcontractor has a financial interest who appears on the Construction Contractor's Board *Not Qualified to Hold Public Contracts* list, will perform work under this Contract, as specified in ORS 701.227(4).

13. COMPLIANCE WITH ALL GOVERNMENT REGULATIONS/TERMINATION FOR FAILURE TO COMPLY

The Contractor shall comply with all Federal, State and local laws, codes, regulations and ordinances applicable to the work performed under this Contract. Failure to comply with such requirements shall constitute a breach of contract and shall be grounds for termination of this Contract. Damages or costs resulting from noncompliance shall be the sole responsibility of the Contractor. Other grounds for termination are set forth in Sections 108.11 and 108.12 of the Standard Construction Specification of the City of Springfield.

In accordance with ORS 279C.505, the Contractor shall;

- a) Make payment promptly, as due, to all persons supplying to the Contractor labor or material for the performance of the work provided for in the Contract.
- b) Promptly pay all contributions or amounts due the State Industrial Accident Fund, or private carrier of accident insurance, from such Contractor or Subcontractor incurred in the performance of the Contract. If a private carrier is used, the Contractor shall notify the Engineer as to the carrier's name and address before commencement of work.
- c) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.
- d) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167.
- e) Have an employee drug testing program in place at the time of signing the Contract and will maintain such drug testing program in place over the life of the Contract. Upon request, the Contractor shall furnish a copy of the employee drug testing program to the City.

In accordance with ORS 279C.510, If demolition is involved, the Contractor shall salvage or recycle construction and demolition debris, if feasible and cost-effective as required by ORS 279C.510(1). If lawn or landscaping maintenance is involved, the Contractor shall compost or mulch yard waste in an approved site, if feasible and cost-effective as required by ORS 279C.510(2).

In accordance with ORS 279C.515, if the Contractor fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished to the Contractor or a Subcontractor by any person, or the assignee of the person, in connection with the Public Works Contract as such claim becomes due, the City of Springfield may pay such claim and charge the amount of the payment against funds due or to become due the Contractor by reason of the Contract. The payment of a claim in this manner shall not relieve the Contractor or the Contractor's surety from obligation with respect to any unpaid claims.

If the Contractor or first-tier Subcontractor fails, neglects or refuses to make payment to a person furnishing labor or materials in connection with the Public Improvement Contract within 30 days after receipt of payment from the contracting agency or a Contractor, the Contractor or first-tier Subcontractor shall owe the person the amount due plus interest charges in the amount of 9 percent per annum commencing at the end of the 10-day period that payment is due under ORS 279C.580(4) and ending upon final payment unless payment is subject to a good faith dispute as defined in ORS 279C.580.

If the Contractor or a Subcontractor fails, neglects or refuses to make payment to a person furnishing labor or materials in connection with the Public Improvement Contract, the person may file a complaint with the Construction Contractors Board, unless payment is subject to a good faith dispute as defined in ORS 279C.580.

In accordance with ORS 279C.520, no person will be employed by the Contractor or Subcontractor for more than 10 hours in any one day, or 40 hours in any one week except in cases of necessity, emergency, or where the public policy absolutely requires it, and in such cases the person so employed shall be paid at least time and one-half the regular rate of pay for all times worked in excess of eight hours a day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; or in excess of 10 hours a day or 40 hours in any one week when the work week is four consecutive days, Monday through Friday; and for all work performed on a Saturday, Sunday and on any legal holiday specified in ORS 279C.540.

The Contractor, Subcontractor or other person doing, or contracting to do, or contracting for the whole or any part of the work on the Contract shall give notice to employees working on the Contract project in writing, either at the time of hire or before commencement of work on the Contract, and by posting a notice in a conspicuous location which is accessible to and frequented by employees, of the number of hours per day and days per week that the employee may be required to work. The posting must remain in place for the duration of the job.

In compliance with ORS 279C.525, the Contractor is made aware that the following federal, state, and local agencies have enacted ordinances or regulations relating to the prevention of environmental pollution or the preservation of natural resources which may affect performance of City of Springfield contracts. This is not intended to be a complete listing of agencies. Other agencies may have enacted ordinances or regulations that may apply.

If the Contractor is delayed or must undertake additional work by reason of existing ordinances, rules or regulations of agencies not cited in the Contract or due to the enactment of new or the amendment of existing statutes, ordinances, rules or regulations relating to the prevention of environmental pollution and the preservation of natural resources occurring after the submission of the successful bid, the contracting agency may, at its discretion, terminate the Contract, complete the work itself; use non-agency forces already under contract with the City, require that the underlying property owner be responsible for cleanup, solicit bids for a new contractor to provide the necessary services or issue the Contractor a change order setting forth the additional work that must be undertaken.

If the Contractor encounters a condition not referred to in the Invitation to Bid documents, not caused by the Contractor or any subcontractor employed on the project and not discoverable by a reasonable pre-bid visual site inspection, and the condition requires compliance with the ordinances, rules or regulations referred to under this regulation, the Contractor shall immediately notify the City of the condition.

FEDERAL AGENCIES

Department of Agriculture
Forest Service
Soil Conservation Service
Department of the Army Corps of Engineers
Coast Guard
Department of Health and Human Services
Department of the of Interior
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Outdoor Recreation
Department of Commerce

Fish and Wildlife Service
Office of Surface Mining
Reclamation and Enforcement
Bureau of Reclamation
Department of Labor
Occupational Safety and Health Administration
Mine Safety and Health Admin
Department of Transportation
Federal Highway Administration
Environmental Protection Agency

STATE AGENCIES

Department of Agriculture
Department of Energy
Department of Environmental Quality
Department of Fish and Wildlife
Department of Forestry
Department of Geology and Minerals

Department of Human Resources
Land Conservation and Development Commission
Division of State Lands
State Soil and Water Conservation Commission
Water Resources Department
Oregon Department of Transportation

LOCAL AGENCIES

City of Springfield
Planning Commission, City of Springfield
Springfield Development and Public Works
Metropolitan Wastewater Management Commission
City of Springfield Urban Renewal Districts -
Downtown and Glenwood
Springfield Utility Board

Lane County
Planning Commission, Lane County
Willamalane
Lane Regional Air Protection Authority
Lane Council of Governments
Rainbow Water District
Emerald People's Utility District

In accordance with ORS 279C.530, the Contractor will;

Promptly, as due, make payments to any person, co-partnership, association or corporation, furnishing medical, surgical, and hospital care or other needed care and attention, incidental to sickness or injury, to the employees of such Contractor, of all sums which the Contractor agrees to pay for such services and all monies and sums which the Contractor:

- a) May or shall have deducted from the wages of his employees for such services pursuant to the terms of Oregon Revised Statutes and any contract entered in pursuant thereto; or
- b) Collected or deducted from the wages of his employees pursuant to any law, contract, or agreement for the purpose of providing or paying for such service; and
- c) Will comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Contractor shall ensure that each of its Subcontractors complies with these requirements.

In accordance with ORS 279C.580, each subcontract the Contractor enters into with a first-tier Subcontractor for property or services, including a material supplier, for the purpose of performing this Contract must include the following:

- a) A payment clause that obligates the Contractor to pay the first-tier Subcontractor for satisfactory performance under the subcontract within 10 days out of amounts the contracting agency pays to the Contractor under the Public Improvement Contract.
- b) A clause that requires the Contractor to provide a first-tier Subcontractor with a standard form that the first-tier Subcontractor may use as an application for payment or as another method by which the Subcontractor may claim a payment due from the Contractor.

- c) A clause that requires the Contractor, except as otherwise provided, to use the same form and regular administrative procedures for processing payments during the entire term of the subcontract. A Contractor may change the form or the regular administrative procedures the Contractor uses for processing payments if the Contractor:
 - 1.) Notifies the Subcontractor in writing at least 45 days before the date on which the Contractor makes the change; and
 - 2.) Includes with the written notice a copy of the new or changed form or a description of the new or changed procedure.
- d) An interest penalty clause that obligates the Contractor, if the Contractor does not pay the first-tier Subcontractor within 30 days after receiving payment from the contracting agency, to pay the first-tier Subcontractor an interest penalty on amounts due in each payment the Contractor does not make in accordance with the payment clause included in the subcontract under paragraph (a) of this subsection. A Contractor or first-tier Subcontractor is not obligated to pay an interest penalty if the only reason that the Contractor or first-tier Subcontractor did not make payment when payment was due is that the Contractor or first-tier Subcontractor did not receive payment from the contracting agency or Contractor when payment was due. The interest penalty:
 - 1.) Applies to the period that begins on the day after the required payment date and that ends on the date on which the amount due is paid; and
 - 2.) Is computed at the rate specified in ORS 279C.515 (2).

The Contractor shall require the first-tier Subcontractor to include a payment clause and an interest penalty clause that conforms to the standards of subsection (3) of ORS 279C.580 in each of the first-tier Subcontractor's subcontracts and to require each of the first-tier Subcontractor's Subcontractors to include such clauses in the first-tier Subcontractors' subcontracts with each lower-tier Subcontractor or supplier.

14. NONDISCRIMINATION

The Contractor shall comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations.

15. RIGHTS IN DATA/OWNERSHIP OF WORK PRODUCT

(a) Work Product - All Work Product created by the Contractor and originated and prepared for the City of Springfield pursuant to this Contract, including derivative works and compilations, and whether or not such Work Product is considered a "work made for hire," shall be the exclusive property of the City. The ideas, concepts, know-how, or techniques developed during the course of this Contract by the Contractor's personnel can be used by either party in any way it may deem appropriate. Material already in the Contractor's possession, independently developed by the Contractor outside the scope of this Contract, or rightfully obtained by the Contractor from third parties, shall belong to the Contractor irrespective of their similarity to materials which might be delivered to the City of Springfield pursuant to this Contract. The Contractor shall not, however, use any written materials developed under this Contract in developing materials for others, except as provided in this section.

(b) Limited City Indemnity - If the City reuses or modifies the Work Product without the Contractor's involvement or prior written consent, to the extent permitted by Article XI, Section 7, of the Oregon Constitution, and subject to the protections afforded by the Oregon Tort Claims Act, the City shall indemnify the Contractor, within the limits of the Tort Claims Act and any other protections afforded the City, against liability for damage to life or property arising from the City's reuse or modification of the Work Product; provided however, the City shall not be required to indemnify the Contractor for any such liability arising out of or related to defective Plans and Specifications, or Contractor's breach of the Contract, professional negligence, or the negligent or wrongful acts of the Contractor's Subcontractors, employees, or agents in preparing the Plans and Specifications or testing and inspection conducted for the Project.

(c) Contractor Use of Work Product - The Contractor, despite other conditions of this provision, shall have the right to utilize such Work Products on its brochures or other literature that it may disseminate for its

sales promotions, and in addition, unless specifically otherwise prohibited elsewhere in the Contract documents, the Contractor may use its standard line drawings, specifications, and calculations on other, unrelated projects.

16. PATENTS, COPYRIGHTS AND TRADEMARKS

Prior to use of designs, devices, materials, or processes protected by patent, copyright, or trademark, the Contractor shall obtain from the Entity entitled to enforce the patent, copyright, or trademark all necessary evidence of legal right. The Contractor shall indemnify, defend, and hold harmless the City from claims of patent, copyright, or trademark infringement, and from costs, expenses, and damages the Contractor or the City may be obligated to pay as a result of such infringement during or after completing the work.

17. ASSIGNMENT

The Contractor shall not assign, sell, transfer, subcontract or sublet rights, or delegate responsibilities under this Contract, in whole or in part, without the prior written approval of the City of Springfield. No such written approval shall relieve the Contractor of any obligations of this Contract, and any transferee or Subcontractor shall be considered the agent of the Contractor. The Contractor shall remain liable as between the original parties to this Contract as if no such assignment had occurred.

18. SUBCONTRACTING

Subcontracts shall provide that work performed under the subcontract shall be conducted and performed according to the terms of this Contract. Whether stated in the Subcontract Agreement itself or not, the Contractor shall remain solely responsible for administration of the subcontract, including, but not limited to the performance of the subcontracted work, progress of the subcontracted work, payment for accepted subcontracted work, and disputes and claims for additional compensation regarding all subcontracted work.

The City's approval of a Subcontractor will not create a contract between the City and the Subcontractor, shall not convey to the Subcontractor any rights against the City, and shall not relieve the Contractor or the Contractor's Surety of any of their responsibilities under this Contract.

19. DUAL PAYMENT

The Contractor shall not be compensated for work performed under this Contract from any City of Springfield agency other than the agency which is a party to this Contract.

20. ACCESS TO RECORDS

The City of Springfield and its duly authorized representatives shall have access to books, documents, papers and records of the Contractor which are directly pertinent to this Contract for the purpose of making audit, examination, excerpts and transcripts.

21. FORCE MAJEURE

Neither party to this Contract shall be held responsible for delay or default caused by fire, riot, acts of God and/or war which is beyond that party's reasonable control. The City of Springfield may terminate this Contract upon written notice after determining such delay or default will unreasonably prevent successful performance of the Contract.

22. AMENDMENTS

The terms of this Contract shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, without prior written approval of the City of Springfield. No modification of this Contract shall bind either party unless reduced to writing and subscribed by both parties, or ordered by a Court.

23. WAIVER

Failure of the City to enforce any provision of this Contract shall not constitute a waiver or relinquishment by the City of the right to such performance in the future nor of the right to enforce any other provision of this Contract.

24. SEVERABILITY

If any provision of this Contract is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

25. CAPTIONS

The headings, subheadings and titles to paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this Contract. They do not form a part of this Contract, and shall not be used in construing this Contract.

26. ATTORNEY FEES

In the event a lawsuit of any kind is instituted on behalf of the City of Springfield to enforce any provision of this Contract, the Contractor shall pay such additional sums as the Court may adjudge reasonable for attorney fees plus all costs and disbursements at trial and on any appeal.

27. REMEDIES

This Contract shall be governed and construed in accordance with the laws of the State of Oregon, apart from choice of law provisions. The parties agree that the Circuit Court for the County of Lane, State of Oregon, or the Federal District Court of the State of Oregon (Eugene) is the sole and proper forum for resolving any disputes involving this Contract, any breach of this Contract, or relating to its subject matter. The Parties agree to submit themselves to the jurisdiction of such courts without challenge to the jurisdiction of these courts. This Contract shall not be construed more favorably to the City due to the preparation of this Contract by the City.

28. OWNERSHIP STATUS

Both parties understand and acknowledge that the City is a public body as specified in ORS 30.260 and maintains its status as a public body and retains all immunities and privileges granted it and its officers, agents, and employees by the Tort Claims Act (ORS 30.260 – ORS 30.295) and any and all other statutory rights granted the City as a result of its status as a public body.

29. SUCCESSORS IN INTEREST

The provisions of this Contract shall be binding upon and shall inure to the benefit of the parties to this Contract and their respective successors and assigns.

IN WITNESS WHEREOF: The said City has caused these presents to be executed by its City Manager (or Designee) as authorized by Ordinance 6281 of the Common Council of the City of Springfield, and the said Contractor has caused these presents to be executed itself.

CITY OF SPRINGFIELD, OREGON
(A Municipal Corporation)

CONTRACTOR

By:

By:

City Manager

Name of Company (Please Print)

Date

Contractor's Signature

Name: (Please Print)

Title: (Please Print)

Date

Business Address

REVIEWED & APPROVED
AS TO FORM
Kristina Kraag
DATE: 4/19/2022
SPRINGFIELD CITY ATTORNEY'S OFFICE

City **State** **Zip**

Office Phone

Cell Phone

E-Mail Address

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Andy Limbird, DPW
Staff Phone No: 541/726-3784
Estimated Time: 15 Minutes
Council Goals: Maintain and Improve Infrastructure and Facilities

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: ANNEXATION OF TERRITORY TO THE CITY OF SPRINGFIELD – ANNEX 1.77 ACRES OF PROPERTY LOCATED NEAR THE INTERSECTION OF SOUTH 66TH PLACE AND JESSICA DRIVE IN MOUNTAINGATE (MAP 18-02-03-00, TAX LOT 302).

ACTION REQUESTED: Conduct a public hearing and first reading of the following ordinance:
AN ORDINANCE ANNEXING CERTAIN TERRITORY LOCATED AT THE SOUTHEAST EDGE OF MOUNTAINGATE 2ND ADDITION NEAR SOUTH 66TH PLACE AND JESSICA DRIVE TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

ISSUE STATEMENT: The City Council is requested to consider an ordinance to annex 1.77 acres of property zoned and designated Low Density Residential that is located near the northeast corner of South 66th Place at Jessica Drive. The proposed annexation is requested to facilitate water utility system upgrades on the site, including replacement of the existing 1.5-million gallon water reservoir tank.

ATTACHMENTS: 1: Location Maps
2: Ordinance with Exhibits
Exhibit A: Annexation Legal Description & Map
Exhibit B: Annexation Application
Exhibit C: Annexation Agreement
Exhibit D: Staff Report

**DISCUSSION/
FINANCIAL
IMPACT:** The City Council is authorized by Oregon Revised Statutes (ORS) Chapter 222 and Springfield Development Code (SDC) Article 5.7-100 to act on annexation requests. In accordance with SDC 5.7-155 and ORS 222.040, 222.180 and 222.465, if approved the annexation will become effective 30 days after signature by the Mayor or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever date is later.

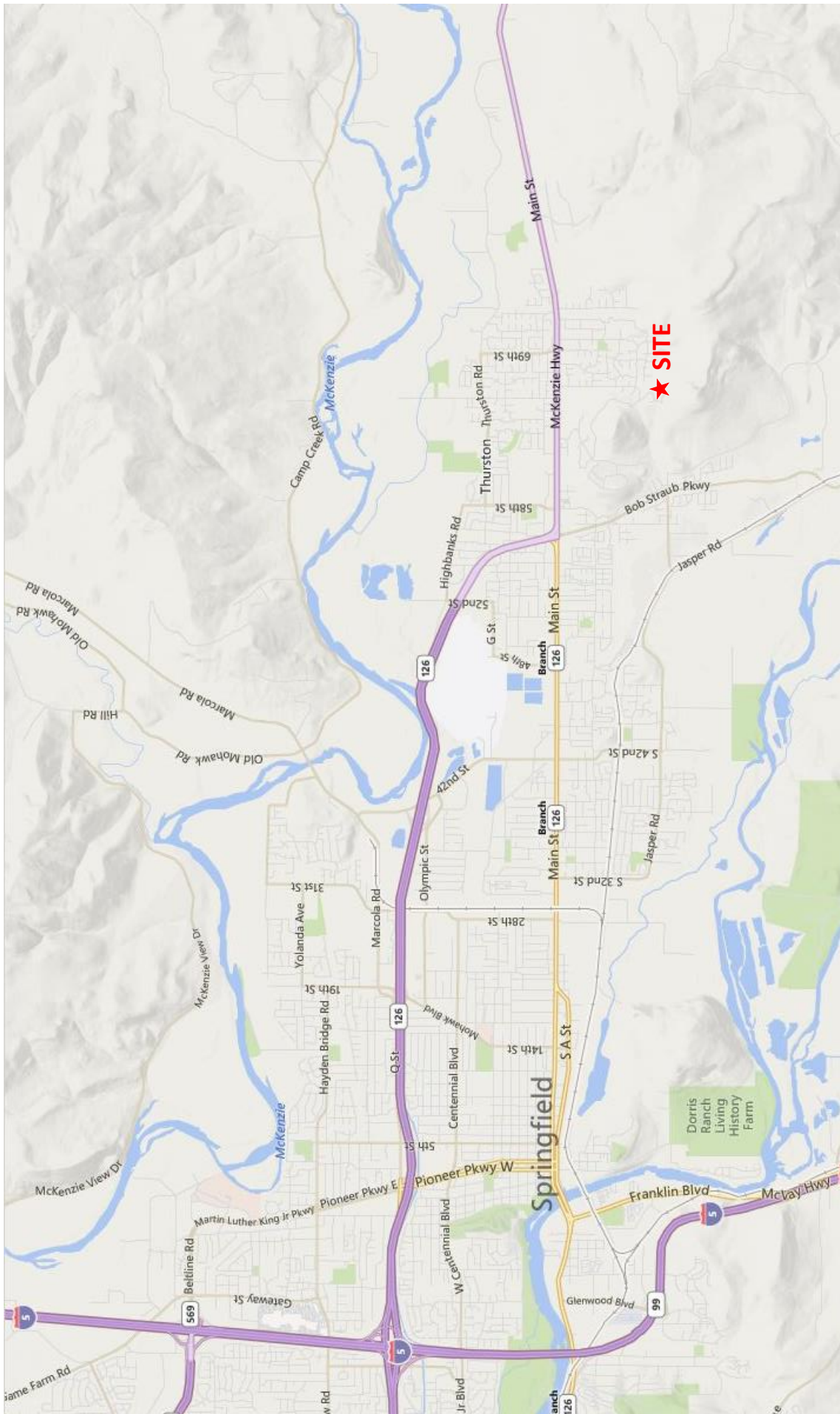
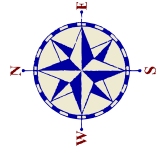
The territory requested for annexation is an irregular-shaped parcel on the southeastern edge of the Mountaingate neighborhood. The parcel has frontage on a stub of Jessica Drive along the southwestern edge and it contains an existing concrete water reservoir tank within a fenced compound. The property is zoned and designated for Low Density Residential use with an Urbanizable Fringe Overlay (UF-10), and it is located inside the City's Urban Growth Boundary (UGB). The property is contiguous with the Springfield city limits on all sides.

The subject parcel is not within a rural water or fire district so it is not necessary to withdraw the property from a service district concurrently with annexation to the City.

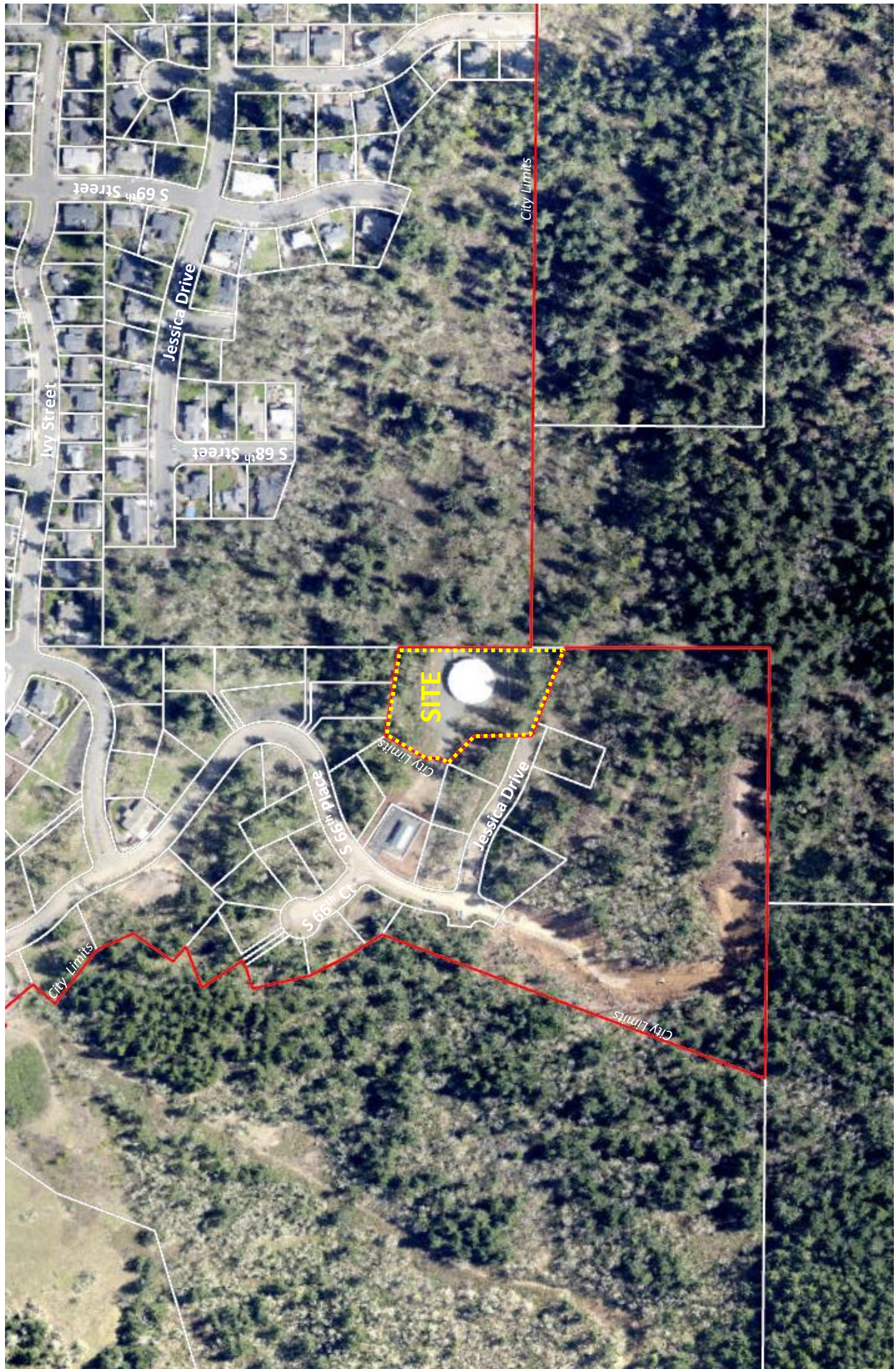
As outlined in the attached staff report (Attachment 2D), the annexation area can be served with the minimum level of key urban facilities and services as required in the *Springfield 2030 Comprehensive Plan – Urbanization Element*. The attached staff report also confirms the request meets the criteria of approval for annexations established in Section 5.7-140 of the Springfield Development Code. An Annexation Agreement has been prepared for review and signature by the Springfield Utility Board and the City (Attachment 2C), although the applicant is not seeking connection to the City's sanitary sewer system at this time.

Recommendation: The subject property complies with the standards and provisions of the SDC and applicable ORS for annexation; Council is requested to conduct the first reading and public hearing of the ordinance annexing this property to the City and Willamalane Park & Recreation District. Council is further requested to continue the public hearing to the regular meeting on May 16 to remedy two-week posted notification requirements of SDC 5.7-130.C that were not met for this application.

LOCATION OF PROPERTY SUBJECT TO ANNEXATION AND ZONE CHANGE



811-22-000074-TYP4 – PROPOSED ANNEXATION OF SUB WATER RESERVOIR PARCEL
SOUTH 66TH PLACE AT JESSICA DRIVE (MAP 18-02-03-00, TAX LOT 302)
SITE CONTEXT MAP



CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY LOCATED AT THE SOUTHEAST EDGE OF MOUNTAINGATE 2ND ADDITION NEAR SOUTH 66TH PLACE AND JESSICA DRIVE TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council is authorized by Springfield Development Code (SDC) Article 5.7-100 and Oregon Revised Statutes (ORS) Chapter 222 to accept, process, and act upon annexations to the City;

WHEREAS, a request to annex certain territory was submitted on March 16, 2022, said territory being Assessor's Map Township 18 South, Range 02 West, Section 3, Map 00, Tax Lot 302, which is not currently assigned a street address and is generally depicted and more particularly described in **Exhibit A** to this Ordinance;

WHEREAS, in accordance with SDC 5.7-125.A and ORS 222.111, the property owner initiated the annexation action by submittal of the required application forms and petition for annexation attached hereto as **Exhibit B** to this Ordinance;

WHEREAS, this annexation has been initiated in accordance with SDC 5.7-125.A and ORS 222;

WHEREAS, the territory proposed for annexation is within the Springfield Comprehensive Plan Urban Growth Boundary and is contiguous to the city limits. (SDC 5.7-140.A);

WHEREAS, the annexation is consistent with the *Springfield 2030 Comprehensive Plan – Urbanization Element* requiring annexation to the City of Springfield as the highest priority for receiving urban services;

WHEREAS, all required urban services are immediately available to serve the site and the applicant has executed an Annexation Agreement (**Exhibit C**) that addresses the timing and financial responsibility for provision of public facilities and services to the property;

WHEREAS, in accordance with SDC 5.7-150.A, upon annexation the Urbanizable Fringe Overlay District (UF-10) will cease to apply to the property and the underlying Low Density Residential zoning will be retained;

WHEREAS, a Staff Report (**Exhibit D**) was presented to the City Council with the Director's recommendation to concurrently annex the subject territory to the Willamalane Park and Recreation District, as this special district is a service provider for the City (SDC 5.7-140.B);

WHEREAS, this action is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008; and

WHEREAS, on May 2, 2022, the Springfield Common Council conducted a public hearing and is now ready to take action on this application based on the recommendation and findings in support of approving the annexation request as set forth in the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance,

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The Common Council of the City of Springfield does hereby approve annexation of the following described territory to the City of Springfield and Willamalane Park and Recreation District, said territory being generally depicted and more particularly described in **Exhibit A** to this Ordinance.

Section 2. The City Manager or the Development & Public Works Director or their designee shall send copies of this Ordinance to effected State and local agencies as required by SDC 5.7-155.

Section 3. Severability Clause. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 4. Effective Date of Ordinance. This Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever is later.

ADOPTED by the Common Council of the City of Springfield, this ____ day of _____, 2022, by a vote of ____ for and ____ against.

APPROVED by the Mayor of the City of Springfield this ____ day of _____, 2022.

Mayor

ATTEST:

City Recorder

EXHIBIT A**LEGAL DESCRIPTION****ANNEXATION FOR Springfield Utility Board – 3rd Level Reservoir
(Map 18-02-03-00, Tax Lot 302)**

Situated in the Northeast $\frac{1}{4}$ of Section 3, Township 18 South, Range 2 West of the Willamette Meridian and described as follows:

BEGINNING at the Southeast corner of Lot 158, Mountaingate 2nd Addition, as platted and recorded on March 28, 2007 in the Lane County Plat Records; **THENCE** along the boundary of said Mountaingate 2nd Addition the following six (6) courses:

1. North 79°42'38" West 202.24 feet;
2. South 30°43'43" West 108.51 feet;
3. Along a curve 50.38 feet, said curve having a radius of 45.00 feet, a delta angle of 64°08'31", and a chord that bears South 13°09'54" West 47.79 feet;
4. South 45°05'12" East 84.96 feet;
5. South 01°23'00" West 130.00 feet;
6. South 67°16'48" East 31.85 feet;

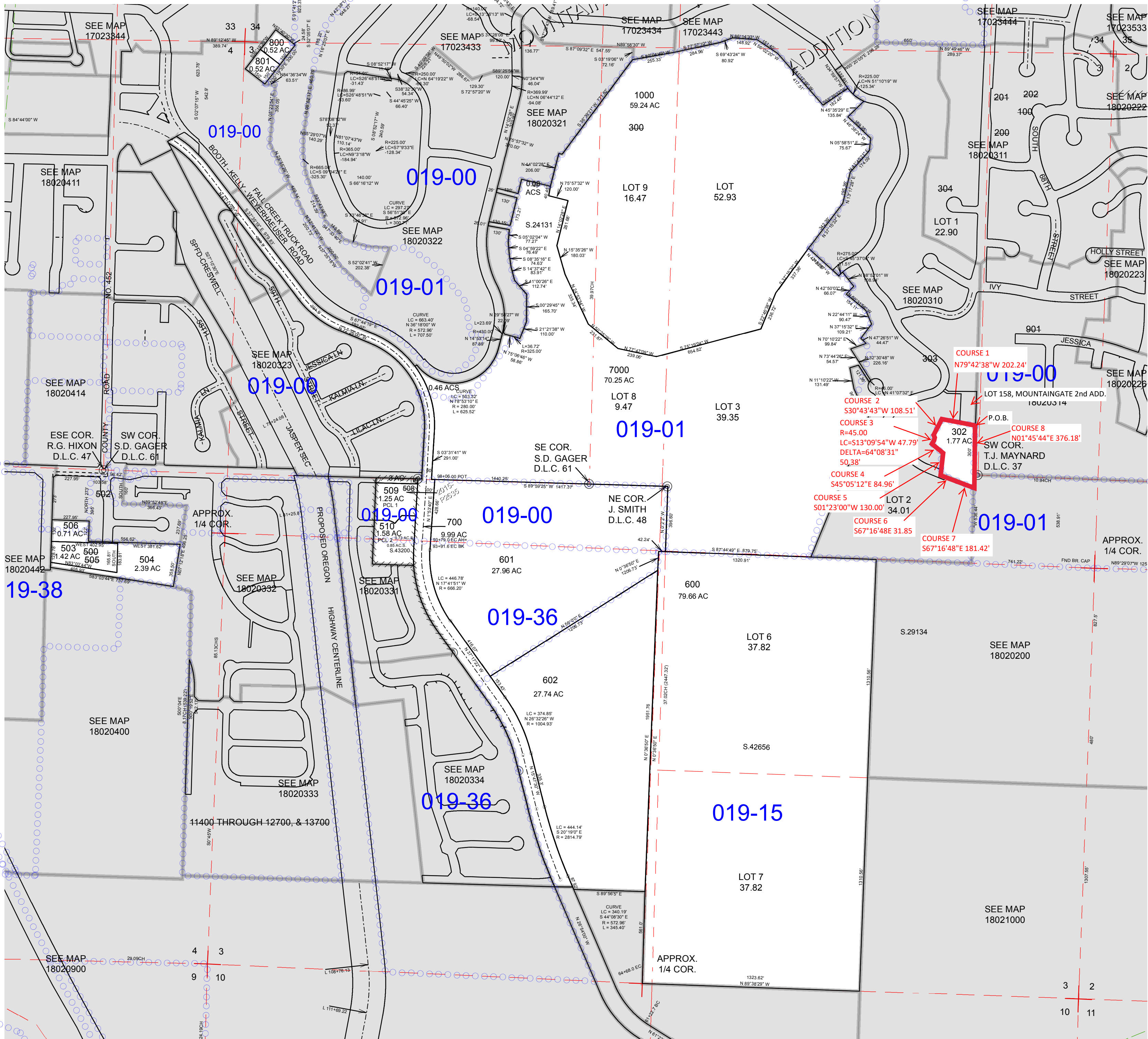
THENCE leaving the boundary of said Mountaingate 2nd Addition and continuing the following two (2) courses:

1. Continuing South 67°16'48" East 181.42 feet;
2. North 1°45'44" East 376.18 feet, returning to the **POINT OF BEGINNING** of this description.

SECTION 3 T.18S. R.2W. W.M.
Lane County
1" = 400'

REVISIONS
09/28/2007 - LCAT142 - CONVERT MAP TO GIS
04/08/2008 - LCAT155 - REMAP D001 TO 18020332 & 33
08/16/2013 - LCAT155 - NTLs 601 & 602 OUT OF 600
03/13/2015 - LCAT116 - CANCEL TL 508 INTO 2015-P2635
12/08/2015 - LCAT142 - CODE CHANGE TL 800 & 801

LCATBHH - 2015-12-08 07:58



CANCELLED
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1100-6900
7100-13700
508

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477

3



Annexation Application Type IV

Application Type		(Applicant: Check one)	
Annexation Application Pre-Submittal:	<input checked="" type="checkbox"/>		
Annexation Application Submittal:	<input type="checkbox"/>		
Required Proposal Information		(Applicant: Complete This Section)	
Property Owner:		Phone:	(541) 726-2396
Address:	Springfield Utility Board	Fax:	
	202 South 18th Street, Springfield, OR 97477	E-mail:	
Owner Signature:			
Owner Signature:	<i>Greg Miller - Water Division Director</i>		
Agent Name:	Rick Satre, AICP, ASLA, CSI	Phone	(541) 686-4540
Company:	The Satre Group	Fax:	
Address:	375 W 4th Avenue, Suite 201, Eugene, OR 97401	E-mail	
Agent Signature:			
If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf, except where signatures of the owner of record are required, only the owner may sign the petition.			
ASSESSOR'S MAP NO:	18-02-03-00	TAX LOT NO(S):	302
Property Address:	No site addresses for the Tax Lot		
Area of Request:	Acres: 1.77	Square Feet:	
Existing Use(s) of Property:	Water storage reservoir		
Proposed Use of Property:	Construct improvements to the SUB 3rd Level Reservoir		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	811-22-000074-T4P4	Date:	3/16/2022
		Reviewed By: (initials)	<i>of</i>
Application Fee:	7787.37	Postage Fee:	
		Total Fee:	8834.74

Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process.

An application without the Owner's original signature will not be accepted.

Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting. If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf. I/we do hereby acknowledge that I/we are legally responsible for all statutory timelines, information, requests and requirements conveyed to my representative.

Owner:

Greg Miller _____ **Date:** 2/18/22
Signature
Greg Miller - Water Division Director - Springfield Utility Board
Print

Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.

Owner:

Greg Miller _____ **Date:** 3/9/22
Signature
Greg Miller - Water Division Director - Springfield Utility Board
Print

APPLICANTS SHOULD COMPLETE THE FOLLOWING STEPS PRIOR TO SUBMITTING AN APPLICATION. APPLICATIONS NOT HAVING ALL BOXES CHECKED WILL BE RETURNED TO THE APPLICANT AND WILL THEREFORE DELAY THE APPLICATION REVIEW PROCESS.

Application Fee [SDC 5.7-125(B)(15)]

Refer to the Development Code Fee Schedule for the appropriate fee calculation formula. Fees are based upon the area of land being annexed. Copies of the fee schedule are available at the Development Services Department. Fees are payable to the City of Springfield.

Petition/Petition Signature Sheet [SDC 5.7-125(B)(2)]

To initiate an annexation by consents from property owners as explained below, complete the attached *Petition Signature Sheet* (refer to Form 1). ***(Photocopies may be submitted @ Pre-Submittal, with original copies @ time of application submittal).***

Consent by Property Owners [ORS 222.170(1)]

If the proposal is to be initiated by the *owners of at least one-half of the land area, land value, and land ownership*, complete Form 2. To give consent for a particular piece of property, persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with the county, must sign the annexation petition. Generally, this means that both husband and wife should sign. In the case of a corporation or business, the person who is authorized to sign legal documents for the firm may sign the annexation petition. *Please provide evidence of such authorization.* To ensure that the necessary signatures are obtained, please complete the attached worksheet (Form 2). ***(Photocopies may be submitted @ Pre-Submittal, with original copies @ time of application submittal).***

Certification of Ownership [SDC 5.7-125(B)(5)]

After completing the attached *Petition Signature Sheet* (Form 1), have the Lane County Department of Assessment and Taxation certify the ownerships within the proposed annexation area. ***(Photocopies may be submitted @ Pre-Submittal, with original copies @ time of application submittal).***

Owners Worksheet

Information on the *Petition Signature Sheet* can also be found on Form 2, Owners and Electors Worksheet. ***(Photocopies may be submitted @ Pre-Submittal, with original copies @ time of application submittal).***

Supplemental Information Form [SDC 5.7-125(B)(1) and (11)]

Form 3 (attached) provides additional information for the proposed annexation that is not requested on the Annexation Application Type IV form, such as special districts that currently provide services to the proposed annexation area. ***(Photocopies may be submitted @ Pre-Submittal, with original copies @ time of application submittal).***

Copy of the Deed ***(required at application submittal)***

Copy of Preliminary Title Report ***(required at application submittal)***

Title Report has to be issued within the past 30 days documenting ownership and listing all encumbrances.

Annexation Description [SDC 5.7-125(B)(9)]

A metes and bounds legal description of the territory to be annexed or withdrawn must be submitted electronically in Microsoft Word or a compatible software program. A legal description shall consist of a series of courses in which the first course shall start at a point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners and other monuments. A lot, block and subdivision description may be substituted for the metes and bounds description if the area is platted. The Oregon Department of Revenue has the authority to approve or disapprove a legal description. A professionally stamped legal description does not ensure Department of Revenue approval.

Cadastral Map [SDC 5.7-125(B)(10)]

Three (3) full-size paper copies and one (1) digital copy (in .pdf format) of the Lane County Assessor's tax map that shows the proposed annexation area in relationship to the existing city limits. If Digital Copy (in.pdf format) is not available, Nine (9) full-size paper copies and one (1) reduced size redline map at 8 ½ x 11 are required. Paper copy maps must be printed to scale.

On all submitted maps the annexation area shall be outlined in redline with survey courses and bearings labeled for cross-reference with the metes and bounds legal description. If the annexation area extends across more than one tax map, sufficient copies of each affected tax map must be provided. Please be aware that annexation redline closures must avoid creating gaps or overlaps, and may not necessarily correspond with the property legal description. Cadastral maps can be obtained from the Lane County Assessment and Taxation Office.

ORS 222.173 Waiver Form [SDC 5.7-125(B)(8)]

Complete the attached waiver (Form 4). The waiver should be signed by each owner within the proposed annexation area.

Public/Private Utility Plan [SDC 5.7-125(B)(12)]

A plan describing how the proposed annexation area can be served by key facilities and services must be provided with the Annexation Agreement. Planning and public works staff will work with the applicant to complete the Annexation Agreement.

Written Narrative addressing approval criteria as specified below. All annexation requests must be accompanied with a narrative providing an explanation and justification of response with the criteria stated in the application (also stated below). [SDC 5.7-125(B)(13) and (14)]

- A. The affected territory proposed to be annexed is within the City's portions of the urban growth boundary and is contiguous to the city limits or separated from the City limits only by a public right-of-way or a stream lake or other body of water;
- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plan or Plan Districts;
- C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and
- D. Where applicable fiscal impacts to the City have been mitigated through a signed Annexation Agreement or other mechanism approved by the City Council.

Three (3) copies of the previously required information.

ALL PLANS AND ATTACHMENTS MUST BE FOLDED TO 8½" BY 11" AND BOUND BY RUBBER BANDS.



THE SATRE GROUP
Land Use Planners, Landscape Architects, Environmental Specialists
 375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
 (541) 686-4540 • www.satregroup.com

TRANSMITTAL

TO: City of Springfield **DATE:** March 17, 2022
225 5th Street **PROJECT:** SUB – 3rd Level Reservoir
Springfield, OR 97477 Annexation – Submittal
ATTN: _____ **CLIENT PROJ #:** _____
SG PROJ #: 2140

TRANSMITTED:	Herewith	<input type="checkbox"/>	DISPOSITION:	For Your Approval	<input type="checkbox"/>
	Separate Cover	<input type="checkbox"/>		For Your Information/Use	<input type="checkbox"/>
	Other	<input type="checkbox"/>		For Reply	<input type="checkbox"/>

TRANSMITTED:

# Copies	Item	Dated	No. Pages
		(In addition to this cover page)	
3	paper copies of a:		
	Submittal Annexation Application Packet	Various Dates	Several

REMARKS: This Annexation application packet is hereby submitted for processing. The submittal package includes:

1. This Transmittal
2. Application Fee
3. Application Form
4. Application Attachments Form 1 – Form 4
5. Written Statement
6. Deed
7. Title Report
8. Annexation Description
9. Cadastral Map
10. Public / Private Utility Plan


We look forward to your assistance with the project. Don't hesitate to contact us should you have any questions or need any additional information. Thank you.

COPIES TO:		BY:	
File	<input checked="" type="checkbox"/>	Agency	<input type="checkbox"/>
Client	<input checked="" type="checkbox"/>	Consultant Team	<input checked="" type="checkbox"/>
		Other	<input type="checkbox"/>
			<u>Rick Satre, AICP, ASLA, CSI</u>

FORM 1

PETITION/PETITION SIGNATURE SHEET
 Annexation by Individuals
 [SDC 5.7-125(2)(b)(i)/ORS 222.170(1)]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to Lane County Metropolitan Wastewater Service District and Willamalane Parks and Recreation District, as deemed necessary:

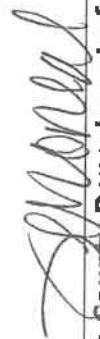
	Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	Acres (qty)
1.		2/18/22	Springfield Utility Board	202 S 18th St Splfld 97477	18-02-03-00-00302	<input checked="" type="checkbox"/>	1.77
2.						<input type="checkbox"/>	
3.						<input type="checkbox"/>	
4.						<input type="checkbox"/>	
5.						<input type="checkbox"/>	

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Greg Miller (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X  (signature of circulator)

CERTIFICATION OF OWNERSHIP

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity that may not yet be reflected on the A&T computerized tax roll.


 Lane County Department of Assessment and Taxation
2/24/22
 Date Signed and Certified

FORM 2

OWNERSHIP WORKSHEET

(This form is **NOT** the petition)

(Please include the name and address of ALL owners regardless of whether they signed an annexation petition or not.)

OWNERS

Property Designation (Map/lot number)	Name of Owner	Acres	Assessed Value	Imp. Y / N	Signed Yes	Signed No
18-02-03-00, 302	Springfield Utility Board	1.77	\$8,359		X	
TOTALS:						

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100%
TOTAL ACREAGE IN PROPOSAL	1.77 acres
ACREAGE SIGNED FOR	1.77 acres
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	
VALUE CONSENTED FOR	
PERCENTAGE OF VALUE CONSENTED FOR	

FORM 3

SUPPLEMENTAL INFORMATION FORM

*(Complete **all** the following questions and provide all the requested information. Attach any responses that require additional space, restating the question or request for information on additional sheets.)*

Contact Person: Rick Satre, AICP, ASLA, CSI

E-mail: rick@satregroup.com

Supply the following information regarding the annexation area.

- Estimated Population (**at present**): 0
- Number of Existing Residential Units: 0
- Other Uses: Public Utility Facility - Water Reservoir Site
- Land Area: 1.77 total acres
- Existing Plan Designation(s): Low Density Residential
- Existing Zoning(s): Low Density Residential
- Existing Land Use(s): Public Utility Facility - Water Reservoir Site
- Applicable Comprehensive Plan(s): Eugene-Springfield Metropolitan Area General Plan
- Applicable Refinement Plan(s): None
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. Metro Plan Designation is LDR. Existing/planned use is High Impact Public Utility Facility, permitted in LDR district subject to standards. Key urban services are available. Contiguous to city limits. Meets annexation criteria.
- Are there development plans associated with this proposed annexation?
 Yes No
 If yes, describe.
There are plans to upgrade the existing facility in the future.
- Is the proposed use or development allowed on the property under the current plan designation and zoning?
 Yes No
- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).
Contiguous on the north, west and south sides.

Does this application include all contiguous property under the same ownership?

Yes No

If no, state the reasons why all property is not included:

Contiguous property is already annexed.

- Check the special districts and others that provide service to the annexation area:

- | | |
|--|--|
| <input type="checkbox"/> Glenwood Water District | <input type="checkbox"/> Rainbow Water and Fire District |
| <input type="checkbox"/> Eugene School District | <input type="checkbox"/> Pleasant Hill School District |
| <input checked="" type="checkbox"/> Springfield School District | <input type="checkbox"/> McKenzie Fire & Rescue |
| <input type="checkbox"/> Pleasant Hill RFPD | <input type="checkbox"/> Willakenzie RFPD |
| <input type="checkbox"/> EPUD | <input checked="" type="checkbox"/> SUB |
| <input checked="" type="checkbox"/> Willamalane Parks and Rec District | <input type="checkbox"/> Other _____ |

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

Rick Satre, The Satre Group

(Name)

375 West 4th Avenue, Suite 201

(Address)

Eugene, OR 97401

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

FORM 4

**WAIVER OF ONE YEAR TIME LIMIT
FOR ANNEXATION PURSUANT TO ORS 222.173**

This waiver of the time limit is for the following described property:

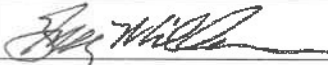
18-02-03-00, 302 N/A
 Map and Tax Lot Number Street Address of Property (if address has been assigned)

ONE WAIVER OF TIME LIMIT FOR EACH PARCEL, PLEASE

We, the owner(s) of the property described above understand the annexation process can take more than one year but desire to annex to have City services. Therefore, we agree to waive the one-year time limitation on this petition to annex established by Oregon Revised Statutes 222.173, and further agree that this contract shall be effective [] indefinitely or [] until

 Date

Signatures of Legal Owners

Please print or type name	Signature	Date Signed
<i>Greg Miller</i>		<i>2/18/22</i>

LCOG: L:\BC\2008 BOUNDCHANGE TRANSITION\APPLICATION FORMS\SPRINGFIELD\10-03-08 UPDATED FORMS\PRE-SUBMITTAL ANNEXATION APPLICATION 10-07-08.DOC
 Last Saved: April 9, 2014

March 16, 2022

**SPRINGFIELD UTILITY BOARD
SOUTH HILLS 3RD LEVEL RESERVOIR REPLACEMENT
Annexation**

Map 18-02-03-00, Lot 302

Written Statement

In accordance with SDC 5.7-125, Annexation Initiation and Application Submittal, the applicant, Springfield Utility Board (SUB), is requesting that the City of Springfield review this annexation request and determine that the proposal complies with criteria contained in SDC 5.7-140 and that the requested annexation can be approved. To aid Springfield staff in this endeavor, the following information is provided.

I. THE SITE AND EXISTING CONDITIONS

A. Planning Context

The subject property is inside the Urban Grown Boundary (UGB) and outside the City Limits of Springfield. The site is contiguous to area inside City of Springfield city limits on its north, south, east and west boundaries. The Metro Plan designation, neighborhood plan designation and zoning for the subject property is as follows:

Metro Plan:	Low Density Residential
Refinement Plan:	None
Base Zone:	Low Density Residential
Overlay:	Urbanizable Fringe
Zone:	Overlay District (UF-10)



Subject Property

Excerpt Springfield Zoning Map April 2019

B. Subject Site

The existing reservoir property is comprised of one tax lot (Map 18-02-03-00, Lot 00302). This location is known as the South Hills 3rd Level Reservoir Site. The property is located in the Thurston neighborhood of Springfield. The site contains one existing reservoir, is partially forested and is approximately 1.77 acres in size. Access is by way of a graveled drive extending from South 66th Place from the west.



South Hills Reservoir Site
Bing Maps – Looking South



LANDSCAPE ARCHITECTS

PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

375 West 4th, Suite 201, Eugene, OR 97401

Phone: 541.686.4540

www.satregroup.com



C. Development Objective

The development objective for the existing reservoir site is threefold. One, to continue serving as a water storage reservoir site; two, the construction of a new, second water storage reservoir, and three the demolition and replacement of the existing water storage reservoir. Among other permits and approvals, annexation into the Springfield City Limits is the first step.

II. ANNEXATION – APPROVAL CRITERIA

Annexation Approval Criteria are found in Section 5.7-140 of the Springfield Development Code (SDC). Applicable sections of the Code are in ***bold italics*** followed by proposed findings of facts in normal text.

SDC 5.7-140. An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is contiguous to the city limits; or separated from the City only by a public right-of-way or a stream, lake or other body of water.***

Response: The affected territory is located within the city's urban growth boundary and is contiguous to the city limits on its northern, southern, eastern, and western boundaries. Given this, criterion 5.7-140(A) is met.

- B. The proposed annexation is consistent with applicable polices in the Metro Plan and in any applicable refinement plan or Plan Districts;***

Response: The subject property is designated Low Density Residential on the Metro Plan diagram. There are no applicable refinement plans or Plan Districts. Once annexed to the City of Springfield, the Urbanizable Fringe (UF-10) overlay will no longer apply, and the site will be zoned Low Density Residential.



Metro Plan Diagram
2010

METRO PLAN: Applicable policies of the Metro Plan are listed below:

C. Growth Management, Goals, Findings and Policies:

- ***Policy 8a. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: A minimum of key urban facilities and services can be provided to the area in an orderly and efficient manner.***

Response: Minimum key urban facilities and services as defined in the Metro Plan includes wastewater, stormwater, transportation, solid waste management, water service, fire and emergency medical service, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities and public schools on a district-wide basis (Metro Plan, Chapter V, Glossary, definition 24). As documented

elsewhere in this application these key urban facilities and services have been provided to the subject site in an orderly and efficient manner.

- *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority.*

Response: Annexation into the corporate limits of the City of Springfield is codified in the Springfield Development Code (SDC) 5.7-100-5.7-165. Processes and procedures regarding application, annexation, approval criteria, effective date and notice, and withdrawal from special districts are, by submittal and processing of this Annexation Application, being followed.

- *Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.*

Response: The subject site is inside the Springfield's Urban Growth Boundary. By this Annexation Application herein land within the UGB (the subject site) is being annexed and as required by applicable approval criteria, will be provided with the minimum level of urban facilities and services.

- *Policy 18. As annexations to cities occur over time, existing special service districts within the UGB shall dissolve. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with the affected special service districts.*

Response: A special district providing services to the subject property is the Willamalane Park and Recreation District. Willamalane is not contemplated to dissolve. Willamalane and the City of Springfield have an intergovernmental agreement regarding property annexation into the City, therefore, when a property is annexed, annexation into the Willamalane Park and Recreation District also occurs.

- *Policy 21a. When unincorporated territory within the UGB is provided with any new urban service that service shall be provided by the following method: Annexation to a city.*

Response: Existing facilities and services are currently provided to the development site. Therefore, this Metro Plan policy has already been satisfied.

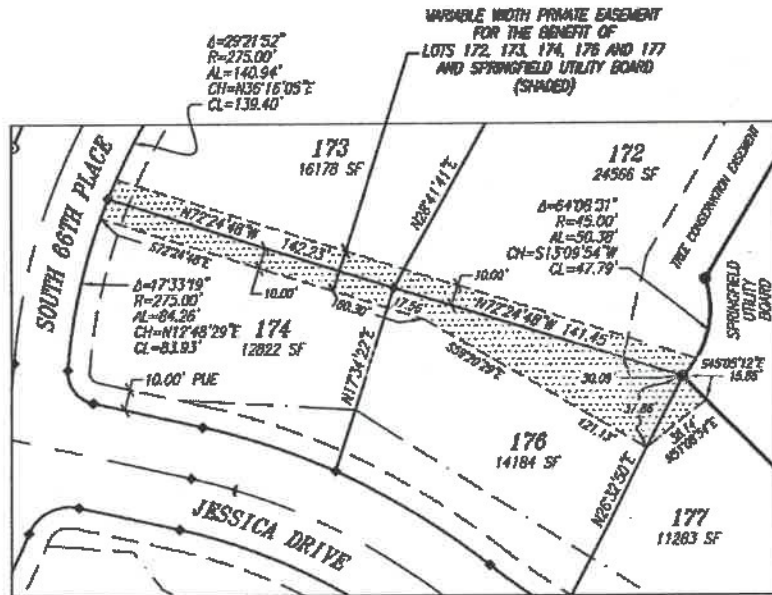
Given the above, criterion 5.7-140(B) is met.

C. *The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and*

Response: The annexation site can be provided with key urban facilities and services as defined in the Metro Plan. Facilities and services applicable to the site, including information regarding providers, existing facilities and service extensions, is provided below:

Storm: The nearest public stormwater infrastructure is located in Jessica Drive at the site's southwest corner. Public stormwater infrastructure is also available in South 66th Place. Private stormwater infrastructure is a storm line running down the east property line to South 67th and Ivy. The existing public and private systems will continue to be utilized.

Sanitary: Sanitary infrastructure is adjacent to the site in both Jessica Drive and South 66th Place. Should sanitary infrastructure be needed for the subject property in the future, service would be extended from South 66th Place. This can occur through the intervening property between South 66th Place and the site as there is an existing access/utility easement from South 66th Place to the subject property (confirmed with Staff on 3/9/22).



Easement 2007-020544
 March 2007

Water: Paralleling the east property line to South 67th and Ivy, there is a 16" water line used to fill the reservoir. Water is currently provided by Springfield Utility Board (SUB) and does not need to be extended.

Electric: Electric infrastructure is adjacent to the subject property along its east boundary. The existing service would remain.

Streets: South 66th Place and Jessica Drive are local streets. Right-of-way has been dedicated and the streets have been improved west and southwest of the subject tax lot in accordance with a prior, unrelated, subdivision and PEPI approvals. To create an interconnected transportation system with land uses in the vicinity of the property, a private 20' wide emergency access easement and 15' wide slope easement was dedicated on tax lot 18-02-03-10-00100. If needed, the emergency access easement will be constructed as part of a PIP by the future developer of tax lot 18-02-02-00-00402 and can be extinguished when the lot develops with sufficient access that the easement is no longer needed.

Given this, criterion 5.7-140(C) is met.

D. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Response: Annexation of the subject property into the City of Springfield is not anticipated to have any fiscal impacts. Therefore, an Annexation Agreement is not required for annexation of the subject property. Given this, this criterion 5.7-140(D) is met.

III. **Conclusion**

Based on the information contained in this written statement and elsewhere in the application submittal, the applicant believes that the requested annexation can be approved.

If you have any questions about the above application, please do not hesitate to contact Rick Satre, at The Satre Group, 541-686-4540 or rick@satregroup.com.

Sincerely,

Rick Satre

Rick Satre, AICP, ASLA, CSI, Principal/Partner
The Satre Group

February 24, 2022

**SPRINGFIELD UTILITY BOARD
SOUTH HILLS 3RD LEVEL RESERVOIR REPLACEMENT
Annexation**

Map 18-02-03-00, Lot 302

Public / Private Utility Plan [SDC 5.7-125(B)(12)]

SDC 5.7-125(B)(12) calls for: *A public/private utility plan describing how the proposed affected territory can be served by a full/minimum level of key urban facilities and services.*

The Annexation Application calls for: *A plan describing how the proposed annexation area can be served by key facilities and services must be provided with the Annexation Agreement. Planning and Public Works staff will work with the applicant to complete the Annexation Agreement.*

In response, the Springfield Utility Board 3rd Level Reservoir Replacement Annexation Application includes the following Public/Private Utility Plan. This Public/Private Utility Plan describes what is known regarding facility providers, existing facilities and anticipated service extension.

Existing Facilities, Providers and Service Extension

Key facilities and services as defined by the Metro Plan and how they will be met are as follows:

Stormwater

Provider:

- Current: On-Site: Private – SUB.
Off-Site: Public – City of Springfield.
- Future: On-Site: Private – SUB.
Off-Site: Public – City of Springfield.

Existing Facilities:

- Private: The site is currently provided on-site stormwater service by way of a private 8" PVC drainline from the site to the public system at 67th and Ivy Streets.
- Public: Existing public system at 67th and Ivy Streets.

Service Extension:

- Private: No future extension. The existing on-site private system will continue to be utilized.
- Public: No future extension. The existing off-site public system will continue to be utilized.



Existing Storm and Sanitary Infrastructure
City of Springfield
2018

Wastewater

Provider:

- Current: None.
- Future: City of Springfield.

Existing Facilities:

No public wastewater system exists on or at the boundary of the subject property. There is, however, existing public wastewater infrastructure a short distance to the southwest, in Jessica Drive, and a bit further to the west in South 66th Place. (See above image.)

Service Extension:

Should wastewater infrastructure be needed for the subject property in the future, service would be extended from South 66th Place. This can occur through the intervening property between South 66th Place and the site

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Phone: 541.686.4540
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because there is an existing access/utility easement from South 66th Place to the subject property.

Transportation

Provider: Streets: City of Springfield.
Transit: Lane Transit District (LTD).
Existing Facilities: Streets: Existing streets nearest the subject property, and available for access, are South 66th Place (to the west, via an existing access easement).
Transit: LTD provides service currently.
Service Extension: Streets: There is no need to extend public street service. The subject property has existing access.
Transit: Post annexation, LTD will continue to be the transit service provider.

Solid Waste Management

Solid waste service for un-annexed property is the responsibility of the property owner. Upon annexation, service will be provided by a private service provider under contract with the City of Springfield. The current service provider, under franchise agreement with the City of Springfield, is Sanipac.

Water Service

Provider: Springfield Utility Board (SUB).
Existing Facilities: The existing use of the subject property is that of a water reservoir site for the community’s potable water system. Service is on and adjacent to the subject property, extending to the west to South 66th Place in the same existing easement described above.
Service Extension: Service is on site and does not need to be extended.

Existing Water Infrastructure
Springfield Utility Board
2019



Electric Service

Provider: Emerald.
Existing Facilities: Existing electric infrastructure is adjacent to the subject property along its east boundary.
Service Extension: This existing service would remain.

Existing Electric Infrastructure
Springfield Utility Board
2019



Fire and Emergency Medical Services

Fire and emergency services are provided by Eugene Springfield Fire. Upon annexation, Eugene Springfield Fire will continue to provide service.

Police Protection

The Lane County Sheriff provides service outside of the city limits. Upon annexation, service will be provided by the Springfield Police Department for the subject property.

City Wide Parks and Recreation Programs

The site is within the boundaries of the Willamalane Park and Recreation District. Park and recreation services are provided to the subject property currently and will continue to be provided after annexation.

Land Use Controls

The City of Springfield is the planning and building permit services provider. This service will continue after annexation.

Communication Facilities

CenturyLink provides land-line telephone service. Comcast provides cable service. Annexation will not change this.

Public Schools

The site is served by the Springfield School District. Annexation will not change this.

ANNEXATION AGREEMENT

This Annexation Agreement (“Agreement”) is made between the City of Springfield, an Oregon municipal corporation (“City”) and Springfield Utility Board (“APPLICANT”).

RECITALS

- A. APPLICANT owns the parcel(s) of land legally described in Exhibit A, the Property. The property is proximate to the jurisdictional limits of the City and is subject to annexation by the City of Springfield.
- B. APPLICANT has submitted to the City a request for an Annexation Agreement, dated March 16, 2022, for Assessor’s Map No. 18-02-03-00, Tax Lot 00302.
- C. APPLICANT wishes to annex the Property to the City and seeks support from the City for the annexation.
- D. The Property is currently designated as Low Density Residential (LDR) on the Metro Plan and is zoned LDR with Urbanizable Fringe Overlay (UF-10) according to the Springfield Zoning Map.
- E. Annexation of the Property requires a showing under SDC 5.7-140.C that the Property can be provided with the minimum level of key urban facilities and services as defined in Policy 31 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, and such showing is supported by the substantial evidence in the record of the proceeding on this annexation. City staff has determined the minimum level of key urban services are currently available to the Property.
- F. The purpose of this Agreement is to memorialize APPLICANT’s and City’s commitment and agreement to the allocation of financial responsibility for public facilities and services for the Property and other users of the facilities, sufficient to meet the City’s requirements for the provision of key urban services, including long term public sanitary sewer, stormwater management systems, interconnected transportation systems, and Fire and Life Safety services necessary for an affirmative City recommendation for the annexation request.

After Recording, Return to:

City of Springfield
Development & Public Works Dept.
Attn: Current Development Division
225 Fifth Street
Springfield, OR 97477

Place Bar Code Sticker Here:

- G. A public sanitary sewer system with sufficient capacity to serve the Property and other existing and proposed land uses in the vicinity of the Property is necessary to support a finding that this key urban service is available to serve the Property.
- An existing public sanitary sewer system is located approximately 65 feet west of the Property within Jessica Drive and is also located in S. 66th Place and has sufficient capacity to serve the Property.
 - No connection is needed for the current development proposal of new water reservoirs on this site, and the applicant is not required to extend physical services for annexation or the proposed use of water reservoirs.
 - SUB owns the intervening property (TL 18-02-03-10-06000 through TL 18-02-03-10-06200 and TL 18-02-03-10-06400 through TL 18-02-03-10-06500) and is required to provide a private sewer easement through this property to the subject property to ensure service can be provided if needed in the future.
 - A variable width easement (Record No. 2007-020544) for water line, private access, and private sewer exists on the referenced tax lots for the benefit of the Property and satisfies said requirement to provide a private sewer easement.
- H. A public stormwater management system with sufficient capacity to serve the Property and other existing and proposed land uses in the vicinity of the Property is also necessary to support a finding that this key urban service is available to serve the Property.
- An existing public storm sewer was constructed with the adjacent Mountaingate Phase 3B Subdivision. This system was sized to accommodate the proposed use as a water reservoir. The public system connection in Ivy and South 67th consists of an 18” main and has sufficient capacity for proposed use and the zoned use as low density residential.
- I. An interconnected transportation system with the existing and proposed land uses in the vicinity of the Property is also required in order to provide access and a transportation system for the provision of Fire and Life Safety services to and from the annexed property.
- The Property has access to S. 66th Place via a private access easement through tax lot 18-02-03-10-06000, Easement #2007-020544.
 - The Property also has frontage on a portion of Jessica Drive, that will need to have a 20-foot wide gravel emergency access road extended from the existing end to the east when TL 18-02-02-00-00402 develops before 18-02-03-14-03100 does that will provide a secondary emergency access to this property.
 - An access easement of sufficient width to construct a 20-foot wide emergency access and sufficient width slope easement to construct the emergency access will be required from the end of the existing Jessica Drive will be required. As part of a previous development, a 20-foot wide access easement and 15-foot slope easement was dedicated from TL 18-02-03-10-00100 (Record No. 2020-056149). To ensure this emergency access can be constructed a 15-foot slope easement from the subject property is required to be along the subject property southern boundary coincident with the northern boundary of the adjacent TL 18-02-03-10-00100.

- J. In order to facilitate orderly development of the Property and ensure the full provision of key urban services that are satisfactory to the City and meet the City's conditions for an affirmative recommendation for annexation to the Common Council, and in exchange for the obligations of the City set forth below, APPLICANT shall comply with all requirements imposed on APPLICANT in this Agreement.

Now, therefore based upon the foregoing Recitals, which are specifically made a part of this Agreement, the parties agree as follows:

AGREEMENT

1. Obligations of APPLICANT. Consistent with the above Recitals, APPLICANT agrees to perform the obligations set forth in this section.
 - 1.1. APPLICANT shall bear the obligation to provide for and cooperate with future development that may occur to the east of Jessica Drive that may require emergency access and connection to utilities.
 - 1.1.1 Dedicate a slope easement of 15 feet within the subject property along the subject property southern boundary coincident with the northern boundary of the adjacent TL 18-02-03-10-00100 for the full length of that frontage. For the benefit of Tax Lot 18-02-02-00-00402 and 18- 02-02-00-00401. This easement can be written to be extinguished when Tax Lot 18- 02-02-00-00402 develops with access to public streets so that the emergency access isn't needed, when two separate access points are available to the north via the existing S 68th Street, S 69th Street or S 69th Place.
 - 1.2. Provide and be financially responsible for the provision of any additional urban facilities and services identified during the review and approval of the Site Plan as necessary to serve the development of the Property, including the construction and maintenance thereof.
2. Obligations of City. Consistent with the above Recitals, City agrees to:
 - 2.1. Process the annexation request and support annexation of the Property to the City before the Common Council, and support APPLICANT's defense of any appeal of a decision to the City. However, the City will not assume any financial responsibility to provide legal counsel on appeal.
3. Covenants Running With the Land. It is the intention of the parties that the covenants herein are necessary for the annexation and development of the Property and as such shall run with the Property and shall be binding upon the heirs, executors, assigns, administrators, and successors of the parties hereto, and shall be construed to be a benefit to and burden upon the Property. This Agreement shall be recorded, at APPLICANT's expense, upon its execution in the Lane County Deeds and Records. This Agreement may be assigned by APPLICANT and shall benefit any assigns or successors in interest to APPLICANT. Execution of this Agreement is a precondition to the support of the City for annexation of the Property described in Exhibit A to the City. Accordingly, the City retains all rights for enforcement of this Agreement.

4. Limitations on the Development. No portion of the Property shall be further developed prior to the approval of a Partition or Subdivision, Site Plan or Minimum Development Standards permit, as applicable, for the proposed development.
5. Mutual Cooperation. City and APPLICANT shall endeavor to mutually cooperate with each other in implementing the various matters contained herein.
6. Waiver of Right of Remonstrance. APPLICANT agrees to sign any and all waivers, petitions, consents and all other documents necessary to obtain the public facilities and services described herein as benefiting the Property, under any Improvement Act or proceeding of the State of Oregon, Lane County, or the City and to waive all rights to remonstrate against these improvements. APPLICANT does not waive the right to protest the amount or manner of spreading the assessment thereof, if the assessment appears to APPLICANT to be inequitable or operate unfairly upon the Property. APPLICANT waives any right to file a written remonstrance against these improvements. APPLICANT does not waive its right to comment upon any proposed Local Improvement District (LID) or any related matters orally or in writing.
7. Modification of Agreement. This Agreement may only be modified in writing signed by both parties. Any modifications to this Agreement shall require the approval of the Springfield Common Council. This Agreement shall not be modified such that the minimum level of key urban facilities and services as defined in Policy 31 of the *Springfield 2030 Comprehensive Plan – Urbanization Element* and as required herein are not provided in a timely manner to the Property.
8. Land Use. Nothing in this Agreement shall be construed as waiving any requirements of the Springfield Development Code or Springfield Municipal Code which may be applicable to the use and development of this Property. Nothing herein shall be construed as City providing or agreeing to provide approval of any building, land use, or other development application or Land and Drainage Alteration Program (LDAP) permit application submitted by APPLICANT. APPLICANT is responsible for obtaining, at APPLICANT's expense, all State and/or Federal permits and any other approvals as may be required.
9. Reserved.
10. Ballot Measures 37/49/ORS 195.300 et seq. APPLICANT waives any rights it may have under Oregon Revised Statutes (ORS) Chapter 195.300 et seq., "Just Compensation for Land Use Regulation," for itself and its heirs, executors, assigns, administrators and successors hereby waives any claim or cause of action it may have under such ORS provisions against the City.
11. Invalidity. If any provision of this Agreement shall be deemed unenforceable or invalid, such enforceability or invalidity shall not affect the enforceability or validity of any other provision of this Agreement. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto shall be determined in accordance with the laws of the State of Oregon.

DATED this _____ day of _____, 20____.

IN WITNESS WHEREOF, the APPLICANT and City have executed this Agreement as of the date first herein above written.

APPLICANT

By:

Date

Its:

STATE OF OREGON }
COUNTY OF LANE } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____

BY AS _____ OF _____

(APPLICANT)

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES

CITY OF SPRINGFIELD

By: _____
Nancy Newton, City Manager

STATE OF OREGON }
COUNTY OF LANE } ss

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20__

BY AS OF

(CITY)

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES



**TYPE IV – ANNEXATION
STAFF REPORT AND RECOMMENDATION**



File Name: Springfield Utility Board Mountaingate Annexation

Case Number: 811-22-000074-TYP4

Proposal Location: South 66th Place at Jessica Drive (Map 18-02-03-00, Tax Lot 302)

Current Zoning & Comprehensive Plan Designation: Low Density Residential (LDR)

Applicable Comprehensive Plan: *Springfield 2030 Comprehensive Plan*

Application Submittal Date: March 16, 2022

Associated Applications: 811-21-000318-PRE (Development Issues Meeting); 811-22-000056-PRE (Pre-submittal Meeting)

CITY OF SPRINGFIELD’S DEVELOPMENT REVIEW COMMITTEE

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Civil Engineer	Streets and Utilities	Clayton McEachern	541-736-1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	Chris Carpenter	541-744-4153

Review Process (SDC 5.7-115): The subject annexation request is being reviewed under Type IV procedures, without Planning Commission consideration.

Development Issues Meeting (SDC 5.7-120): A Development Issues Meeting (DIM) is required of all public agency and private landowner-initiated annexation applications, unless waived by the Director.

Finding: The property owner submitted an application for a Development Issues Meeting on December 10, 2021 and the meeting was held on January 11, 2022 (File 811-21-000318-PRE). Subsequently, a pre-submittal meeting for the annexation request was held on March 4, 2022 (File 811-22-000056-PRE).

Conclusion: The requirement in SDC 5.7-120 is met.

Annexation Initiation and Application Submittal (SDC 5.7-125): In accordance with SDC 5.7-125.B.2.b.i and ORS 222.170(1), an annexation application may be initiated by “more than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land.”

Finding: The property owner who owns all of the land and real property, and full assessed value of real property in the contiguous territory, has filed an application and petition requesting annexation to the City of Springfield (Attachment 2, Exhibit B).

Conclusion: The application requirements in SDC 5.7-125 have been met.

Site Information: The subject annexation area consists of an irregular-shaped residential parcel that is approximately 1.77 acres in size and contains an existing 1.5-million gallon water reservoir tank. The property is located near the intersection of South 66th Place and Jessica Drive on the southeast edge of the Mountaingate neighborhood (Mountaingate 2nd Addition subdivision). The subject site is inside the Springfield Urban Growth Boundary (UGB) and is contiguous to the Springfield city limits on all sides in accordance with SDC 5.7-140.A.1.

Zoning for the property is Low Density Residential (LDR) with an Urbanizable Fringe Overlay (UF-10) applied. According to the applicant’s submittal, the primary purpose of the annexation request is to facilitate further development of the site with water utility improvements, including replacement of the existing water reservoir tank. Both the South 66th Place and Jessica Drive frontages in the vicinity of the property are considered improved to urban standards and all required public utilities, including sanitary sewer, are available to serve the site. There are additional considerations for emergency secondary access to vacant property to the east of this site – along the projected extension of Jessica Drive – so an Annexation Agreement that outlines the applicant’s responsibilities for provision of public streets, utilities, and services to the property and in support of future development of other nearby properties, has been prepared for this request.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff), schools (Springfield School District), roads (City of Springfield), and Fire (Eugene-Springfield Fire). Springfield Utility Board (SUB) operates the existing water utility infrastructure on the subject property and adjacent lots to the west and south. There is no rural water service for unincorporated properties in the vicinity of this site. Upon annexation, the City of Springfield will be responsible for all urban services, including sanitary sewer, water (through SUB), electricity (through SUB), and police/fire response to the subject area.

Notice Requirements (SDC 5.7-130): Consistent with SDC 5.7-130, notice was provided as follows:

Mailed Notice. Notice of the annexation application was mailed April 11, 2022, which is at least 14 days prior to the public hearing date, to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the proposed annexation territory; affected special districts and all other public utility providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners. The list of recipients of the mailed notice is included with the Affidavit of Mailing for this

annexation application and is retained as part of the public record for Planning File 811-22-000074-TYP4.

Newspaper Notice. Notice of the May 2, 2022 public hearing was published in *The Register-Guard* on April 22 & 29, 2022. The notification meets the requirements of SDC 5.7-130.B for two consecutive notices in the two-week period before the hearing, but the initial notification was not provided at least two weeks prior to the hearing date. Staff is recommending continuance of the public hearing to the regular meeting on May 16, 2022 to remedy the newspaper notice deficiency. Additional legal notification regarding the continued public hearing, should Council accept this recommendation, will be provided in the newspaper in advance of the May 16 meeting.

Posted Notice. Notice of the May 2, 2022 public hearing was posted in three public places in the City: along both the South 66th Place and Jessica Drive frontages near the property; and on the electronic display in the foyer of the Development & Public Works office - all on April 19, 2022. Notice was also provided on the City of Springfield website. The timing of posted notices do not meet the two-week posted notice requirements of SDC 5.7-130.C. Staff is recommending continuance of the public hearing to the regular meeting on May 16, 2022 to remedy the posted notice deficiency.

Finding: Upon annexation of the subject territory to the City, the underlying Low Density Residential zoning will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, the Oregon Department of Land Conservation and Development (DLCD) was notified in writing of the annexation proceedings prior to the public hearing. Notification to DLCD regarding the proposed annexation was sent on March 23, 2022, which is 40 days prior to the initial public hearing on the matter.

Conclusion: Notice of the public hearing was not provided consistent with SDC 5.7-130. Staff is recommending continuance of the public hearing to remedy the notification deficiencies. Additionally, should Council choose to continue the public hearing, staff is recommending a newspaper notice advising of the continued public hearing to be run in the period between the May 2 and May 16 meetings.

Recommendation to City Council (SDC 5.7-135): The Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 5.7-140, which are provided as follows with the SDC requirements, findings, and conclusions. The Director's recommendation follows SDC 5.7-140, Criteria.

Criteria (SDC 5.7-140): The application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is**
- 1. Contiguous to the city limits; or**
 - 2. Separated from the City only by a public right of way or a stream, lake or other body of water.**

Finding: The subject annexation territory is located within the acknowledged urban growth boundary (UGB) of the City of Springfield (see additional discussion in Subsection B below). The property requested for annexation abuts the Springfield city limits on all sides. Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

Conclusion: The proposal meets and complies with Criterion A(1), Subsection 5.7-140.

- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans or Plan Districts;**

Finding: The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in August, 1982 and has been subsequently amended. The original *Metro Plan* UGB encompassed both Eugene and Springfield, with I-5 being the acknowledged boundary between Eugene and Springfield. With the passage of House Bill 3337 in 2007 and adoption of Ordinance 6268 in 2011, a separate and distinct UGB was created for Springfield using a tax lot by tax lot delineation. Springfield's UGB as delineated by Ordinance 6268 was subsequently revised and expanded upon adoption of Ordinance 6361 in 2016. The revised and expanded UGB is delineated

on an individual tax lot basis and has been acknowledged by LCDC. Territory within the acknowledged UGB ultimately will be within the City of Springfield.

Finding: In December 2016, Springfield adopted the *Springfield 2030 Comprehensive Plan - Urbanization Element* as a component of Springfield's comprehensive plan in compliance with Statewide Planning Goal 14, Urbanization. The *Urbanization Element* explicitly retains the *Metro Plan's* long-standing urbanization policy criteria for approving annexations. The *Urbanization Element* has been acknowledged by LCDC.

Finding: The territory requested for annexation is within an area that is zoned and designated for Low Density Residential (LDR) use. The adopted elements of the *Springfield 2030 Comprehensive Plan* apply to areas within the Springfield UGB, particularly the *Urbanization Element* adopted by Ordinance 6361. At present, there are no proposed changes to the zoning or plan designation for the property, although the Urbanizable Fringe (UF-10) overlay will be effectively removed upon annexation.

Finding: The continued annexation of properties to the City of Springfield is consistent with Policy 29 of the *Springfield 2030 Comprehensive Plan – Urbanization Element* which specifies annexation as the preferred mechanism for provision of urban services to properties within the UGB, which will result in the elimination of special districts within the urbanizable area.

Finding: More detailed discussion of Public Facilities and Services in the *Metro Plan* (Section III-G) and the *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan* (PFSP) – a refinement plan of the *Metro Plan* – contemplates eventual elimination of special service districts within each city's UGB as annexation occurs incrementally. Policy G.9 of the Eugene-Springfield PFSP states that Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall ultimately be the water service providers within their respective urban growth boundary. The requested annexation is consistent with this adopted policy.

Finding: The subject property is part of the 3rd Level water system facilities operated by SUB. In addition to the water reservoir tank on the site, SUB operates a pump station on the adjoining properties to the west. Planned improvements to the 3rd Level water facilities are listed on Table 14 and depicted on Map 8 of the adopted PFSP.

Finding: In accordance with Policy 33 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, SUB is the exclusive water service provider within the Springfield city limits. There is no rural water district serving unincorporated properties in this area of south Springfield. SUB will continue to operate the existing water system facilities on the property upon annexation.

Finding: In accordance with Policy 34 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, when unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by one of the following methods in this priority order: a) Annexation to City; or b) Contractual annexation agreements with City.

Finding: In accordance with Policy 35 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, the City shall not extend water or wastewater service outside city limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard abatement annexation is required.

Finding: The requested annexation is to facilitate further development of the property with 3rd Level water system improvements, including planned replacement of the existing water reservoir tank. It is not anticipated that sanitary sewer service will be required for the unmanned water utility installation when the project is completed. However, an existing joint access and utility easement that runs from South 66th Place to the subject property (across intervening lots also owned by SUB) can be used for legal and physical provision of a sanitary sewer connection if it is required in the future.

Finding: The applicant has submitted an application for annexation to the City (Attachment 2, Exhibit B), and has reviewed the Annexation Agreement prepared by City staff (Attachment 2, Exhibit C). The Annexation Agreement has been revised and updated by SUB and staff but the version signed by the applicant was not available at the time

of Council packet preparation. The executed Annexation Agreement will be provided to the City Council prior to second reading and adoption of the Ordinance.

Finding: The applicant will be responsible for paying applicable fees and System Development Charges (SDCs) and obtaining any necessary permits for connecting the planned water system facilities to the City's utility infrastructure. Because all other required public utilities are available to serve the property and the public street frontages have been improved to urban standards, staff advises that no Annexation Agreement provisions for off-site improvements are warranted for this request.

Conclusion: The proposal meets and complies with Criterion B, Subsection 5.7-140.

C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and

Finding: In accordance with Policy 29 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, annexation shall continue to be a prerequisite for urban development and the delivery of City services in accordance with the Springfield Comprehensive Plan and Springfield Development Code.

Finding: In accordance with Policy 31 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, key urban facilities and services are defined as wastewater service; stormwater service; transportation; solid waste management; water service; fire and emergency medical services; police protection; citywide park and recreation programs; electric service; land use controls; communication facilities; and public schools on a districtwide basis.

Finding: In accordance with Policy 32 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, urban services provided by the City upon annexation to Springfield include storm and sanitary sewer; water; transportation systems; police and fire protection; planning, building, code enforcement and library services; and public infrastructure maintenance of City owned or operated facilities.

Finding: The territory requested for annexation is contiguous with the City limits line along all sides. Urban utilities have been extended along adjacent public streets and are available to serve the subject property, adjacent properties, and areas beyond the annexation territory. Therefore, the urban service delivery systems are already available and in place or can be logically extended from points in the vicinity to serve the subject property. In addition to urban utilities, the following facilities and services are either available or can be extended to this annexation area:

Water – The Springfield Utility Board operates the public water utility system within incorporated areas of south Springfield. As noted above, SUB is the exclusive water service provider for properties within the City limits. Upon annexation, SUB intends to develop the site with additional water system facilities.

Electricity – SUB provides electric service to the neighborhoods in southeast Springfield that are north of the Mt. Vernon Road alignment. SUB owns and maintains electrical system infrastructure within the public street frontages of the property. Existing electrical system infrastructure within the public rights-of-way will continue to be maintained by the affected utility provider.

Police Services – Springfield Police Department currently provides service to areas of south Springfield that are already inside the City limits. The annexation territory is currently within the jurisdiction of the Lane County Sheriff's Department although it is surrounded by the City limits. Upon annexation, this area will receive Springfield Police services on an equal basis with other properties inside the City.

Fire and Emergency Services – By default, fire protection is currently provided to the annexation area by Eugene Springfield Fire Department as there is no rural fire service provider covering this specific area. Upon annexation, the Eugene Springfield Fire Department will continue to provide fire and emergency services to the subject territory.

Emergency medical transport (ambulance) services are provided on a metro-wide basis by the Eugene Springfield Fire Department. The annexation area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide

backup coverage for each other's jurisdictions.

Parks and Recreation – Park and recreation services are provided to the City of Springfield by the Willamalane Park & Recreation District. The park district operates several indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Bob Keefer Center for Sports and Recreation, and Willamalane Adult Activity Center. The park district offers various after-school and other programs for children at schools and parks throughout the community. Also available are pathways and several categories of parks, including community parks, sports parks, special use parks, and natural area parks.

Concurrent with annexation to the City of Springfield, the subject property will be annexed to the Willamalane Park & Recreation District consistent with City policy, an intergovernmental agreement between the City of Springfield and Lane County, and the adopted Willamalane Comprehensive Plan.

Library Services – Upon annexation to the City of Springfield, the subject area will be served by the Springfield Public Library.

Schools – The Springfield School District serves this area of southeast Springfield. Based on the existing and anticipated long-term use of the subject property as a water utility installation, it is not expected that the annexation territory will sustain permanent residents or generate a school-age population in the future. The Springfield School District has capacity to serve the annexation area in its current configuration, and in the event the property redevelops in the future.

Sanitary Sewer – The annexation territory has access to existing public sanitary sewer lines along the South 66th Street frontage to the west of the site. It is not expected that the existing or future water system facilities on the site will require connection to sanitary sewer. However, connection points are available if it is required to serve the annexation territory in the future.

Stormwater – The subject annexation territory is served by the public stormwater management system located in South 66th Place. With further development or redevelopment of the site in the future, on-site stormwater facilities will need to be constructed to direct runoff to the public system. Review and approval of private stormwater facilities necessary to serve the property will be done in conjunction with approval of a Site Plan for water system improvements.

Streets – The extreme southwestern boundary of the subject annexation area abuts a stub of Jessica Drive, which has been developed to urban standards with curb, gutter, paving, sidewalks, street lights, sanitary sewer, and piped stormwater facilities. Jessica Drive and nearby South 66th Place are classified as local streets and are developed with one vehicle travel lane in each direction. The pavement width also allows for vehicle parking on both sides of the street.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for garbage service inside the City limits. Upon annexation, solid waste disposal service would be provided by Sanipac.

Communication Facilities – Various providers offer both wired and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to this area.

Land Use Controls – The annexation area is within Springfield's urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and building jurisdiction for unincorporated areas of Springfield. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as outlined in the *Springfield 2030 Comprehensive Plan – Urbanization Element* are immediately available to the site.

Conclusion: The proposal meets and complies with Criterion C, Subsection 5.7-140.

D. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Finding: The area proposed for annexation is a utility parcel containing an existing water reservoir tank. The Annexation Agreement provides for contingencies in the event that secondary emergency access is required from the stub of Jessica Drive along the southern edge of the property, and if sanitary sewer service is needed for the property in the future. An Annexation Agreement that spells out the timing and financial responsibility for these off-site improvements has been prepared for signature by the City and SUB.

Conclusion: The proposal meets and complies with Criterion D, Subsection 5.7-140.

City Council Decision (SDC 5.7-145): City Council approval of the annexation application shall be by Ordinance.

Finding: The City Council is scheduled to give first reading of the Annexation Ordinance and hold a Public Hearing on May 2, 2022 for the subject annexation request. Based on the staff analysis and recommendations, and on testimony provided at the Public Hearing, the City Council may take action to approve, modify, or deny the Annexation Ordinance at a subsequent meeting, currently scheduled for May 16, 2022.

Zoning (SDC 5.7-150): The area requested for annexation is zoned and designated Low Density Residential (LDR) in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. Properties that are outside the City limits have the Urbanizable Fringe Overlay District (UF-10) applied to the zoning. Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the property will retain the LDR zoning. In accordance with SDC 3.2-210 and 4.7-160.A, high impact public utility installations are allowable in residential districts if they are shown on the adopted PFSP diagram. The subject water utility installation is depicted on Map 8 of the adopted PFSP.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): The subject annexation request is being presented to the City Council for consideration at an initial public hearing meeting on May 2, 2022. Second reading and potential adoption of the annexation Ordinance is scheduled for May 16, 2022. Therefore, if the annexation is adopted after a second reading on May 16, 2022, the Ordinance will become effective 30 days later (on June 15, 2022), or upon acknowledgement of filing with the Secretary of State – whichever date is later.

Finding: The annexation area is within the delineated service territory of SUB (electric and water) but is not actively served by a rural fire district. The Cities of Eugene/Springfield will continue to provide fire and emergency services after annexation, and the City of Springfield by and through the Springfield Utility Board will continue to provide water service after annexation. Consistent with SDC 5.7-160, notice was provided for the public hearing on May 2, 2022.

DIRECTOR'S RECOMMENDATION: The proposal complies with the annexation criteria of approval listed in SDC 5.7-140, and Council is within its authority to approve annexation of the subject territory to the City of Springfield and Willamalane Park and Recreation District. To remedy the posted and newspaper notice requirements of SDC 5.7-130.C that were not met for this annexation application, the Council is requested to continue the public hearing to the regular meeting on May 16, 2022.

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Melissa Cariño, DPW
Staff Phone No: 541.744.4068
Estimated Time: 10 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: ANNEXATION OF TERRITORY TO THE CITY OF SPRINGFIELD – ANNEX 0.41-ACRES OF PROPERTY LOCATED AT 5423 MT. VERNON ROAD (ASSESSOR’S MAP 18-02-04-42, TAX LOT 800) AND A PORTION OF THE MT. VERNON ROAD PUBLIC RIGHT-OF-WAY ABUTTING THE PROPERTY.

ACTION REQUESTED: Conduct a public hearing and first reading of the following ordinance:
AN ORDINANCE ANNEXING CERTAIN TERRITORY ADDRESSED AS 5423 MT. VERNON ROAD (ASSESSOR’S MAP 18-02-04-42, TAX LOT 800) AND A PORTION OF THE MT. VERNON ROAD PUBLIC RIGHT-OF-WAY ABUTTING THE SUBJECT PROPERTY TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; WITHDRAWING THE SAME TERRITORY FROM THE WILLAKENZIE RURAL FIRE PROTECTION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ISSUE STATEMENT: The City Council will conduct a first reading and hold a public hearing on an ordinance to annex 0.41-acres of property located at 5423 Mt. Vernon Road (Assessor’s Map 18-02-04-42, Tax Lot 800), on the southern side of Mt. Vernon Road and west of Mt. Vernon Cemetery Road. The annexation request is due to a failing septic system, which created a health hazard to the residents.

ATTACHMENTS: Attachment 1: Vicinity Map
Attachment 2: Ordinance with Exhibits
Exhibit A: Map and Legal Description
Exhibit B: Annexation Application
Exhibit C: Staff Report and Findings of Fact
Exhibit D: Annexation Agreement

**DISCUSSION/
FINANCIAL
IMPACT:** The City Council is authorized by Oregon Revised Statutes (ORS) Chapter 222 and Springfield Development Code (SDC) Article 5.7-100 to act on annexation requests. In accordance with SDC 5.7-155 and ORS 222.040, 222.180 and 222.465, if approved the annexation will become effective 30 days after signature by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever date is later.

The territory requested for annexation is located at 5423 Mt. Vernon Road (Assessor’s Map 18-02-04-42, Tax Lot 800), on the southern side of Mt. Vernon Road and west of Mt. Vernon Cemetery Road. The subject property is currently zoned Community Commercial (CC) with an Urbanizable Fringe Overlay (UF-10) applied, and it is located inside the City’s Urban Growth Boundary. According to the 2021 Lane County Assessment and Taxation records the property has a total assessed value of \$142,261.

As outlined in the attached staff report (Attachment #2, Exhibit C), staff have confirmed that the annexation area can be served with the minimum level of key urban facilities and services. An Annexation Agreement that allocates financial responsibility for the provision of urban utilities and services to the property is also included in the attachments, which has already been executed by the applicant and will be executed by the City upon Council approval.

Recommendation: The staff report findings show compliance with all the annexation criteria of approval listed in SDC 5.7-140. But because the public notice requirements of SDC 5.7-130.C were not met, City staff recommend the City Council continue the public hearing for this annexation request to their next meeting on May 16, 2022.



SITE



VICINITY MAP
811-22-000062-TYP4 Annexation
18-02-04-42 TL 800
5423 Mt. Vernon Rd.
Richard Sorenson

**CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____**

AN ORDINANCE ANNEXING CERTAIN TERRITORY ADDRESSED AS 5423 MT. VERNON ROAD (ASSESSOR'S MAP 18-02-04-42, TAX LOT 800) AND A PORTION OF THE MT. VERNON ROAD PUBLIC RIGHT-OF-WAY ABUTTING THE SUBJECT PROPERTY TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; WITHDRAWING THE SAME TERRITORY FROM THE WILLAKENZIE RURAL FIRE PROTECTION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council is authorized by Springfield Development Code (SDC) Article 5.7-100 and Oregon Revised Statutes (ORS) Chapter 222 to accept, process, and act upon annexations to the City;

WHEREAS, a request to annex certain territory was submitted on March 8, 2022, said territory being Assessor's Map Township 18 South, Range 02 West, Section 04, Map 42, Tax Lot 800, municipally addressed as 5423 Mt. Vernon Road, which is generally depicted and more particularly described in **Exhibit A** to this Ordinance;

WHEREAS, in accordance with SDC 5.7-125.A and ORS 222.111, the property owner initiated the annexation action by submittal of the required application forms and petition for annexation attached hereto as **Exhibit B** to this Ordinance;

WHEREAS, this annexation has been initiated by "more than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land" in accordance with SDC 5.7-125.B.2.b.i and ORS 222.170(1). All property owners of the subject property filed an application and petition requesting annexation into the City of Springfield;

WHEREAS, the territory proposed for annexation is within the Springfield Comprehensive Plan Urban Growth Boundary and is contiguous to the city limits (SDC 5.7-140.A);

WHEREAS, the annexation is consistent with the *Springfield 2030 Comprehensive Plan – Urbanization Element* requiring annexation to the City of Springfield as the highest priority for receiving urban services;

WHEREAS, in accordance with SDC 5.7-150.A, upon annexation the Urbanizable Fringe Overlay District (UF-10) will cease to apply to the property and the underlying Community Commercial zoning will be retained;

WHEREAS, a Staff Report (**Exhibit C**) was presented to the City Council with the Director's recommendation to concurrently annex the subject territory to the Willamalane Park and Recreation District, as this special district is a service provider for the City;

WHEREAS, a Staff Report (**Exhibit C**) was presented to the City Council with the Director's recommendation to concurrently withdraw the subject territory from the Willakenzie Rural Fire Protection District as the Eugene-Springfield Fire will provide fire protection services directly to the area after it is annexed to the City and the withdrawal from the rural service district is in the City's best interest for the provision of urban services pursuant to Policy 33 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*;

WHEREAS, this action is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008;

WHEREAS, the applicant has executed an Annexation Agreement (**Exhibit D**) that addresses the timing and financial responsibility for provision of public streets, sanitary sewer service, and other necessary utilities to the property, which will be executed by the City upon City Council approval of the proposed annexation;

WHEREAS, on May 2, 2022, the Springfield City Council conducted a public hearing, and is now ready to take action on this application based on the recommendation and findings in support of approving the annexation request and withdrawal from the special district as set forth in the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance,

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The Common Council of the City of Springfield does hereby approve annexation of the following described territory to the City of Springfield and Willamalane Park and Recreation District, said territory being more particularly described in **Exhibit A** to this Ordinance.

Section 2. The Common Council of the City of Springfield does hereby approve withdrawal of the following described territory from the Willakenzie Rural Fire Protection District, said territory being more particularly described in **Exhibit A** to this Ordinance.

Section 3. The City Manager or the Development and Public Works Director shall send copies of this Ordinance to effected State and local agencies as required by SDC 5.7-155.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 5. Effective Date of Ordinance. This Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever is later.

ADOPTED by the Common Council of the City of Springfield this _____ day of _____, 2022, by a vote of _____ for and _____ against.

APPROVED by the Mayor of the City of Springfield this _____ day of _____, 2022.

Mayor

ATTEST:

City Recorder

EXHIBIT A

**NORTHWEST TIMBERLAND CONSULTING & SURVEYING, INC.
LICENSED PROFESSIONAL LAND SURVEYOR**

37036 HWY #58, PLEASANT HILL, ORE 97455-9785
PHONE OR FAX (541) 461-4076

A LEGAL DESCRIPTION FOR AN ANNEXATION TO THE CITY OF SPRINGFIELD, OREGON
FOR TAX LOT 00800 OF TAX LOT MAP #18-02-04-42,
BEING DEED INSTRUMENT #2007-055616,
AND THE ADJOINING MT. VERNON ROAD (CR 315)
RIGHT-OF-WAY, 9.0 METERS TO CENTERLINE.
LOCATED IN THE
SW ¼ OF THE NE ¼ OF SECTION 4, T18S, R2W, W.M.
LANE COUNTY, OREGON
APRIL 11, 2022

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE JOHN SMITH DLC NO 48. SAID CORNER BEING MONUMENTED WITH A 1977 2.75" BRASS CAP AS FILED IN THE LANE COUNTY SURVEYORS OFFICE (LCSO) AS PER REESTAB. #6590, LOCATED IN THE SW ¼ OF THE NE ¼ OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M., THENCE SOUTH 04° 00'23" WEST 8.12 +/- FEET TO THE NEW REDESCRIBED CENTERLINE OF MT. VERNON ROAD (CR #315) (59.054 +/- FOOT RIGHT-OF-WAY (R-O-W)) AS DESCRIBED IN COUNTY SURVEY FILE (CSF) #35075 (SHEET 2/8) AS FILED IN SAID LCSO, SAID CENTERLINE STATION BEING LR 0+209.565 AND A POINT ON A CURVE; THENCE CONTINUING ALONG THE SAID CENTERLINE ON A 500.00 METER RADIUS CURVE TO THE RIGHT FOR 5.85 +/- FEET, THE LONG CHORD BEING SOUTH 85° 00' WEST 5.85 +/- FEET TO STATION LR 0+207.781 AND THE POINT OF TANGENT OF SAID CENTERLINE; THENCE CONTINUING ALONG THE SAID CENTERLINE SOUTH 84° 58' 16" WEST 139.70 +/- FEET TO STATION LR 0+165.201 OF CSF #35074 (1/8) AND THE NORTHEAST CORNER OF DEED INSTRUMENT #2007-055616 AS FILED IN THE LANE COUNTY OFFICE OF DEEDS AND RECORDS (LCOD&R) AND ALSO OF PARCEL #2 OF CSF #8874 BY ANDERBERG IN 1952 (ROTATED TO SAID CSF #35074) AS FILED IN SAID LCSO, AND THE TRUE POINT OF BEGINNING (POB) OF THIS DESCRIPTION:

THENCE CONTINUING ALONG THE SAID CENTERLINE SOUTH 84° 58'16" WEST 159.61 +/- FEET TO A POINT BEING CENTERLINE STATION LR 0+116.551 OF SAID CSF #35074;

THENCE LEAVING SAID CENTERLINE, SOUTH 0° 01'29" WEST 29.66 +/- FEET TO A POINT BEING ON THE NEW SOUTHERLY 9.0 METER (29.527 FEET) RIGHT-OF-WAY (R-O-W) FROM CENTERLINE STATION LR 0+115.762 OF SAID CSF AND REFERENCED WITH A 5/8" I.R. NORTH 0° 42'10" WEST 9.64 +/- FEET AS ORIGINALLY SET ON THE 20 FOOT SOUTHERLY R-O-W IN CSF #8874 AND FOUND IN SAID CSF #35704;

THENCE CONTINUING SOUTH 0° 01'29" WEST 100.84 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL #2;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL #2, NORTH 89° 58'31" EAST 159.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL;

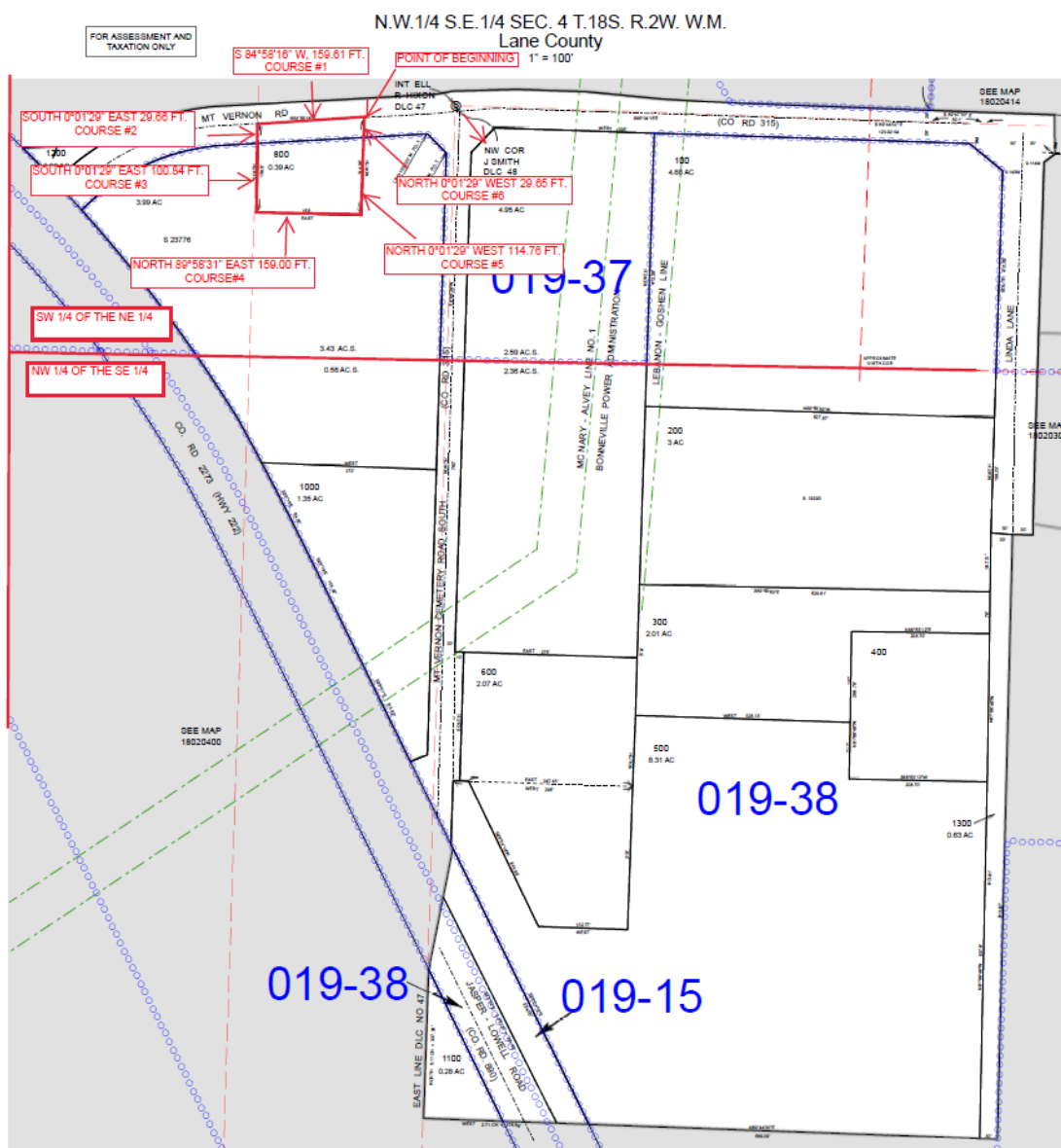
THENCE LEAVING THE SAID SOUTH LINE OF PARCEL #2, NORTH 0° 01'29" WEST 114.76 +/- FEET ALONG THE EAST LINE OF SAID PARCEL TO THE NEW SAID SOUTHERLY 9.0 METER (29.527 FOOT) R-O-W BEING STATION LR 0+164.412 OF SAID CSF AND REFERENCED WITH A 5/8" I.R.,

NORTH 1°45'22" EAST 9.55 +/- FEET AS ORIGINALLY SET ON THE 20 FOOT SOUTHERLY R-O-W IN CSF #8874 AND FOUND IN SAID CSF #35074;

THENCE LEAVING THE SAID SOUTHERLY R-O-W AND CONTINUING NORTH 0° 01'29" WEST 29.65 +/- FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION, ALL IN LANE COUNTY, OREGON.

SAID DESCRIPTION CONTAINS 21,780.0 SqFt OR 0.50 +/- ACRES, WITH 0.11 +/- ACRES IN R-O-W.

NOTE: REEL #2426, PAGE #98-43477 IN 1998 AMENDS REEL #1124, PAGE #81-10385 IN 1981 TO 9.0 METERS (29.527 FEET) FROM 30.0 FEET, WHICH AMENDED THE ORIGINAL 20.0 FOOT R-O-W IN 1952 OF THE SOUTHERLY R-O-W FROM CENTERLINE OF MT. VERNON ROAD (CR #315).



18020442

mapg - 2013-04-15 10:05

CANCELLED

18020442

3

City of Springfield
 Development & Public Works
 225 Fifth Street
 Springfield, OR 97477



Annexation Application Type IV

Application Type		(Applicant: Check one)	
Annexation Application Pre-Submittal:	<input type="checkbox"/>		
Annexation Application Submittal:	<input checked="" type="checkbox"/>		
Required Proposal Information		(Applicant: Complete This Section)	
Property Owner:	Richard M. Sorensen	Phone:	541-207-8641
Address:	27144 Irish Bend Loop, Halsey, Or 97348	Fax:	
	elaine97348@gmail.com	E-mail:	
Owner Signature:			
Owner Signature:			
Agent Name:	Elaine Sorensen	Phone:	541-915-4418
Company:		Fax:	
Address:	same	E-mail:	
Agent Signature:	<i>Elaine Sorensen</i>		
If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf, except where signatures of the owner of record are required, only the owner may sign the petition.			
ASSESSOR'S MAP NO:	18-02-04-42	TAX LOT NO(S):	00800
Property Address:	5423 Mt Vernon Road, Springfield, OR 97478		
Area of Request:	Acres: 0.41	Square Feet:	17,860
Existing Use(s) of Property:	Residential		
Proposed Use of Property:	Residential		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	811-22-000061-TYP4	Date:	03/08/22
		Reviewed By:	(initials)
Application Fee:	3857.96	Postage Fee:	658
		Total Fee:	4709.65

Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process.

An application without the Owner's original signature will not be accepted.

Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting. If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf. I/we do hereby acknowledge that I/we are legally responsible for all statutory timelines, information, requests and requirements conveyed to my representative.

Owner:

_____ **Date:** _____

Signature

Print

Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.

Owner:

Richard M Sorensen _____ **Date:** 3/05/2022

Signature

Richard M. Sorensen _____

Print

February 14, 2021

Written Narrative regarding
Application for Annexation

5423 Mt. Vernon Road, Springfield, Oregon 97478

Thank you for considering this application for annexation to the City of Springfield. This small single family residential home was built in 1958 and has been continuously used as a residence since that time. We purchased this as a rental property in 2007 and have continued with the same tenant as was residing in the property at that time.

This winter we have had problems with the septic system overflowing. We had it pumped twice within about 10 day period because the ground water was overwhelming the system. The tank is 500 gallons and Best Septic reports that the baffle is no longer in place. It appears to be the original tank. Due to the unmanageable situation, the tenant used a Buck toilet during the balance of the high water this winter. We hope to avoid these issues in the future.

- A. The affected territory proposed to be annexed is within the City's portions of the urban growth boundary and is contiguous to the city limits separated only by a public right of way. See Attached map. Exhibit A
- B. As a single residential family home in an area of developing residential homes, this proposed annexation is consistent with applicable policies in the metro plan and any applicable refinement plan or plan districts.
- C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly and timely manner. In addition to subdivisions of newer homes in the near vicinity, this was verified at the DIM meeting as quoted " **FIRE/SAFETY: Property is only 5 min response time away from the nearest fire station and existing hydrant is sufficient. • Property owners can contact SUB Water and Electric Divisions when ready to connect.**"
- D. Where applicable fiscal impacts to the city have been mitigated through a signed annexation agreement or other mechanism approved by the city council. **Addressed in annexation agreement.**

FORM 1

RECEIVED
FEB 09 2022
 Lane County
 Assessment & Taxation

PETITION/PETITION SIGNATURE SHEET
 Annexation by Individuals
 [SDC 5.7-125(2)(b)(i)/ORS 222.170(1)]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to Lane County Metropolitan Wastewater Service District and Willamalane Parks and Recreation District, as deemed necessary:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner <input checked="" type="checkbox"/>	Acres (city)
<i>Richard M. Sorenson</i>	2/9/22	Richard Sorenson	5423 Mt Vernon Rd Springfield OR 97478	18-02-04-42-00800	<input checked="" type="checkbox"/>	.71

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Elaine Sorenson (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 x Elaine Sorenson (signature of circulator)

CERTIFICATION OF OWNERSHIP

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity that may not yet be reflected on the A&T computerized tax roll.

Jan 24 2022
 Lane County Department of Assessment and Taxation

2/9/2022
 Date Signed and Certified
 Revised 4/8/14 BJ

FORM 2

OWNERSHIP WORKSHEET

(This form is **NOT** the petition)

(Please include the name and address of ALL owners regardless of whether they signed an annexation petition or not.)

OWNERS

Property Designation (Map/lot number)	Name of Owner	Acres	Assessed Value	Imp. Y / N	Signed Yes	Signed No
18-02-04-42-00800	Richard Sorensen	0.41	142,261	Y	✓	
TOTALS:		0.41	142,261	Y	✓	(1)

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100
TOTAL ACREAGE IN PROPOSAL	0.41
ACREAGE SIGNED FOR	0.41
PERCENTAGE OF ACREAGE SIGNED FOR	100
TOTAL VALUE IN THE PROPOSAL	142,261
VALUE CONSENTED FOR	142,261
PERCENTAGE OF VALUE CONSENTED FOR	100

FORM 3

SUPPLEMENTAL INFORMATION FORM

(Complete **all** the following questions and provide all the requested information. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

Contact Person: Elaine Soransen
 E-mail: elaine97348@gmail.com

Supply the following information regarding the annexation area.

- Estimated Population (at present): 2
- Number of Existing Residential Units: 1
- Other Uses: _____
- Land Area: 0.39-0.41 total acres
- Existing Plan Designation(s): Residential
- Existing Zoning(s): CC
- Existing Land Use(s): Residential
- Applicable Comprehensive Plan(s): _____
- Applicable Refinement Plan(s): _____
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. _____

- Are there development plans associated with this proposed annexation?
 Yes _____ No
 If yes, describe. _____

- Is the proposed use or development allowed on the property under the current plan designation and zoning?
 Yes No _____

- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).
Please refer to DIM notes

Does this application include all contiguous property under the same ownership?

Yes No

If no, state the reasons why all property is not included:

- Check the special districts and others that provide service to the annexation area:

- | | |
|---|--|
| <input type="checkbox"/> Glenwood Water District | <input type="checkbox"/> Rainbow Water and Fire District |
| <input type="checkbox"/> Eugene School District | <input type="checkbox"/> Pleasant Hill School District |
| <input checked="" type="checkbox"/> Springfield School District | <input type="checkbox"/> McKenzie Fire & Rescue |
| <input type="checkbox"/> Pleasant Hill RFPD | <input type="checkbox"/> Willakenzie RFPD |
| <input checked="" type="checkbox"/> EPUD | <input checked="" type="checkbox"/> SUB |
| <input type="checkbox"/> Willamalane Parks and Rec District | <input type="checkbox"/> Other _____ |

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

(Name)

(Name)

(Address)

(Address)

(City) *(Zip)*

(City) *(Zip)*

(Name)

(Name)

(Address)

(Address)

(City) *(Zip)*

(City) *(Zip)*

FORM 4

**WAIVER OF ONE YEAR TIME LIMIT
FOR ANNEXATION PURSUANT TO ORS 222.173**

This waiver of the time limit is for the following described property:

18-02-04-42 5423 Mt Vernon Rd, Spfld OR 97478
 Map and Tax Lot Number Street Address of Property (if address has been assigned)

ONE WAIVER OF TIME LIMIT FOR EACH PARCEL, PLEASE

We, the owner(s) of the property described above understand the annexation process can take more than one year but desire to annex to have City services. Therefore, we agree to waive the one-year time limitation on this petition to annex established by Oregon Revised Statutes 222.173, and further agree that this contract shall be effective indefinitely or [] until

_____.
 Date

Signatures of Legal Owners

Please print or type name	Signature	Date Signed
Richard Sorensen	<i>Richard M Sorensen</i>	2/9/2022

www.lanecounty.org/at

ACCOUNT # 0561041

LAST YEAR'S TAX 1,650.03
 See back for explanation of taxes marked with (*)

CURRENT TAX BY DISTRICT

U Springfield School District	660.27
U Lane Education Service Dist	31.75
U Lane Community College	88.07
Education Totals:	780.09
Willakenzie RFPD	436.31
U Upper Willamette Soil & Water	9.96
U Lane County	181.99
Lane County Public Safety LO	78.24
Lane County 4-H /Extension LO	3.98
General Government Totals:	710.48
U Lane Community College Bond III	15.69
U Lane Community College Bond II	32.15
Springfield School Dist Bond II	164.37
Bonds - Other Totals:	212.21

SITUS ADDRESS: 5423 MT VERNON RD
 SPRINGFIELD, OR 97478

PROPERTY CLASS: 101
 TAX CODE AREA: 01938 ACRES: 0.39
 MAP & TAX LOT : 18-02-04-42/00800

SORENSEN RICHARD M
 27144 IRISH BEND LOOP
 HALSEY, OR 97348

VALUES AS OF 01/01/2021	LAST YEAR	THIS YEAR
REAL MARKET VALUE		
LAND	109,196	105,245
STRUCTURES	119,138	143,372
TOTAL	228,334	248,617
M5 SPECIAL		
ASSESSED VALUE	0	0
M5 REAL MKT VALUE	228,334	248,617
ASSESSED VALUE	138,118	142,261
EXEMPTIONS	0	0
TAXABLE VALUE	138,118	142,261



MORTGAGE CO: NATIONSTAR MTG LLC DBA MR CO

If a mortgage company pays your taxes,
 this statement is for your records only.

TAX PAYMENT OPTIONS

(See back of statement for payment instructions)

	Pay By	Discount	Net Amount Due
In Full	11/15/2021	51.08	1,651.70
2 / 3	11/15/2021	22.70	1,112.49
1 / 3	11/15/2021	None	567.60

2021-2022 TAXES BEFORE DISCOUNT 1,702.78

TOTAL TAX (After Discount) 1,651.70

▲ Tear Here

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Tear Here ▲

Tax Year 2021-2022

ACCOUNT #: 0561041



Pay	Pay By	Discount %	Discount Amt	Net Amount Due
In Full	11/15/2021	3%	51.08	1,651.70
2 / 3	11/15/2021	2%	22.70	1,112.49
1 / 3	11/15/2021	None	None	567.60

Enter Payment Amount

\$

TOTALS INCLUDE DELINQUENT TAXES, IF ANY. DISCOUNT IS LOST & INTEREST APPLIES AFTER DUE DATE.



143902

SORENSEN RICHARD M
 27144 IRISH BEND LOOP
 HALSEY, OR 97348

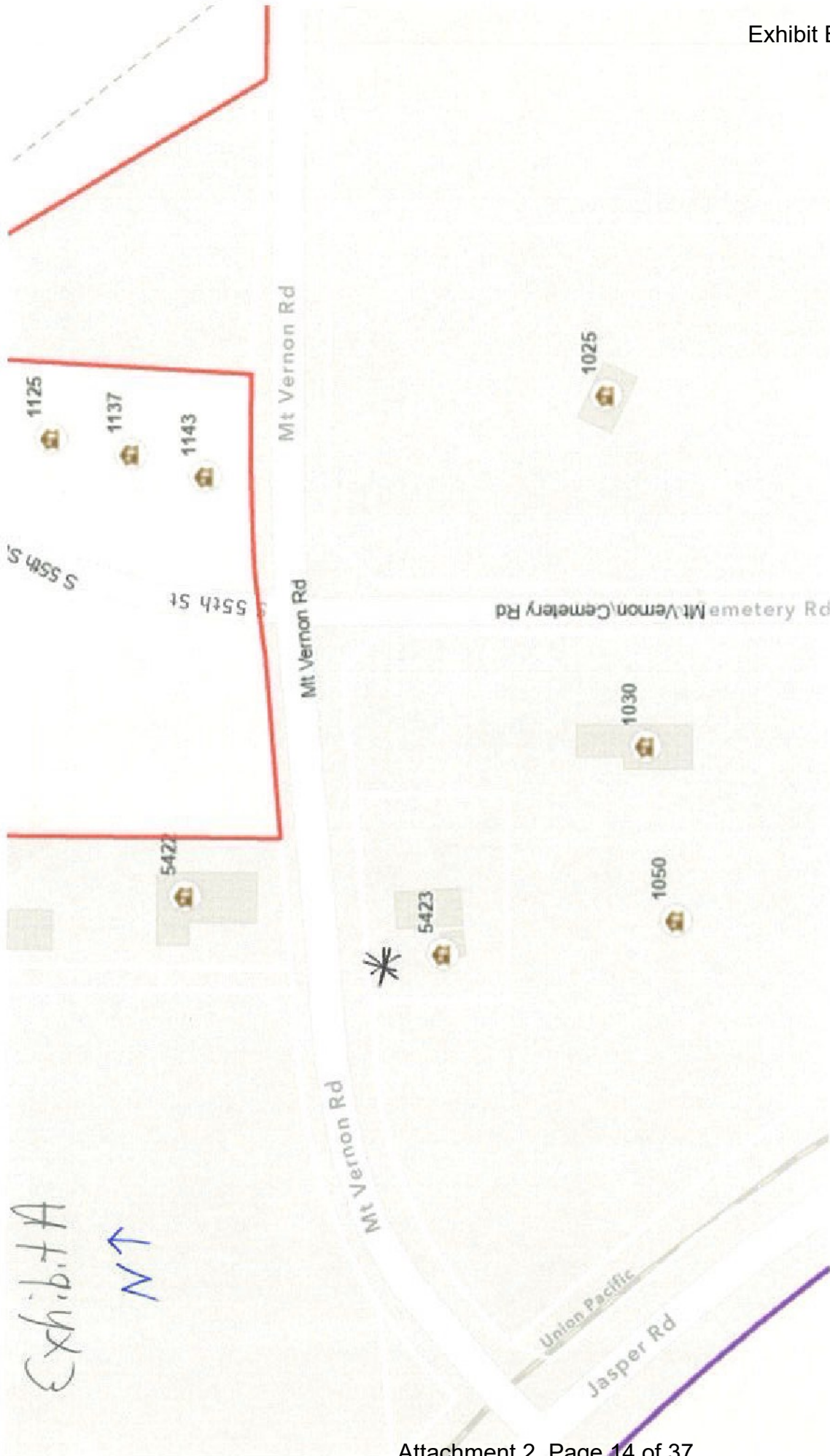
Please make checks payable to:
Lane County Tax Collector
 PO Box 10526
 Eugene, OR 97440-2526

Mailing address change on back

20000005610410000165170000011124900000567604

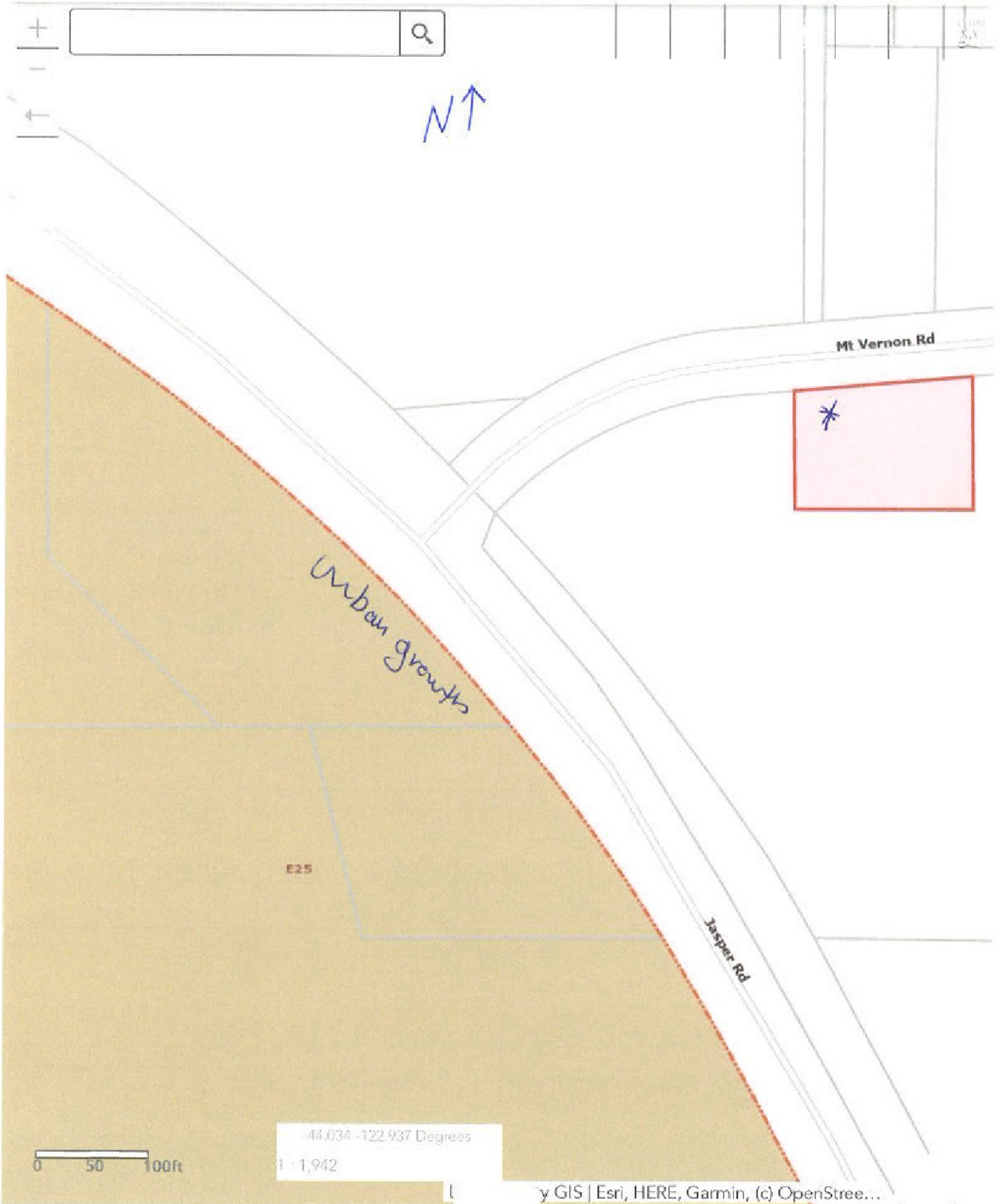
Exhibit A

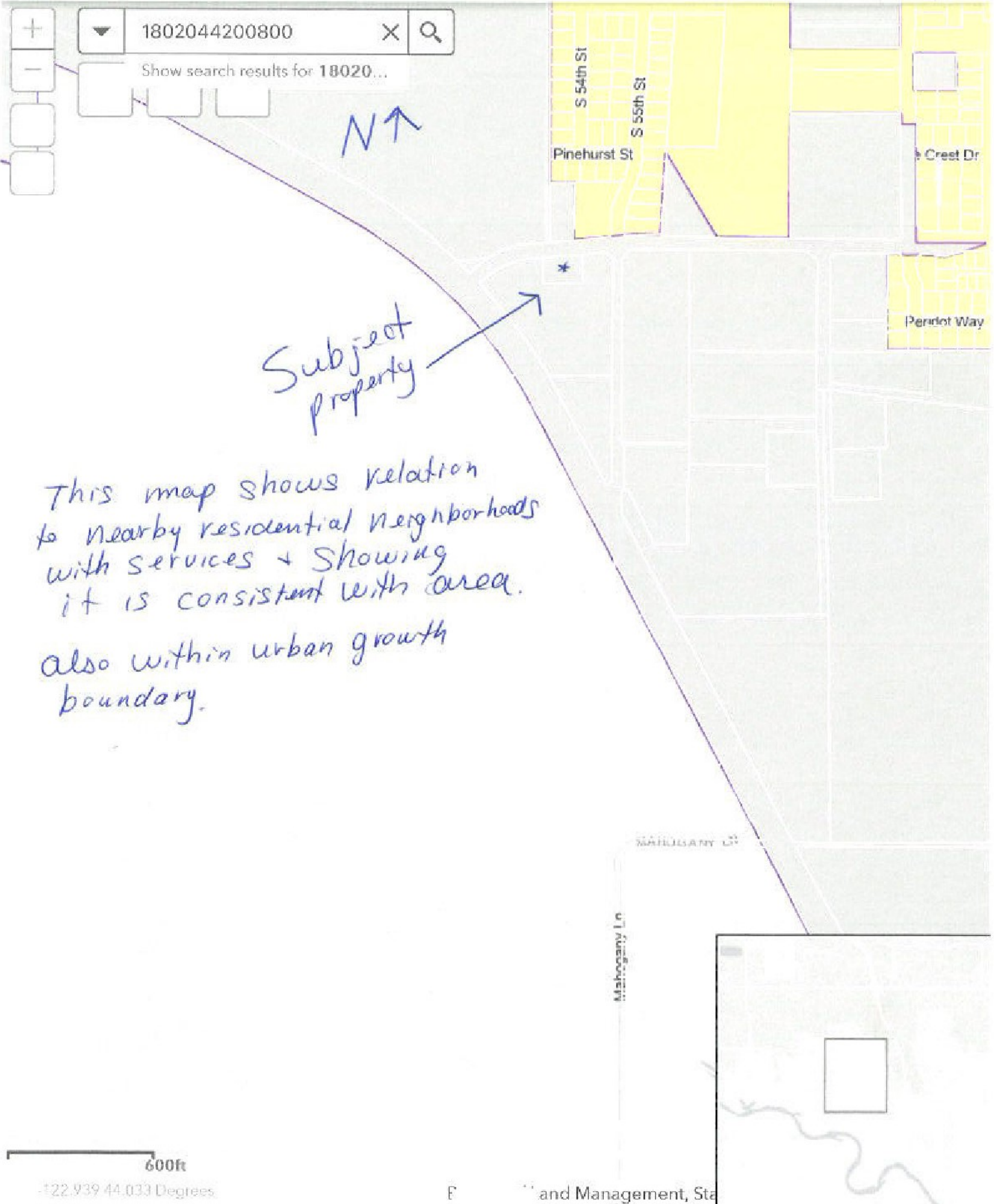
N ↑



5423 Mt Vernon Rd
Springfield OK

Map shows red line city limits
and purple line urban growth
Star on property.



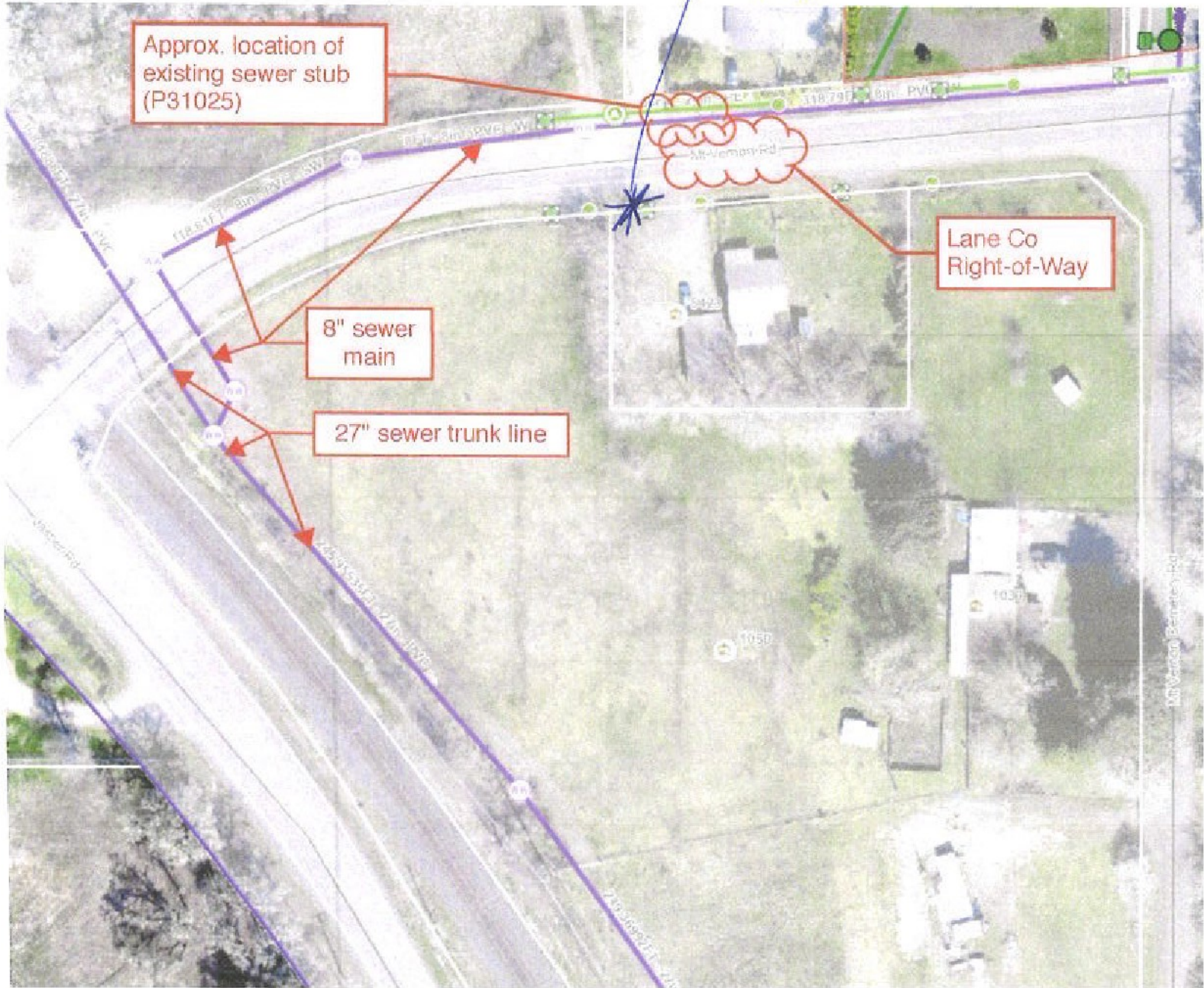


This map shows relation to nearby residential neighborhoods with services + showing it is consistent with area. also within urban growth boundary.

Sewer N ↑

5423
Mt Vernon
Sewer

Approximate
location of
sewer
connection







After recording return to:
First American Title
600 Country Club Rd.
Eugene, OR 97401

Until a change is requested all tax statements
shall be sent to the following address:

Richard M. Sorensen

90820 Knox Rd.
Eugene, OR 97408

File No.: 7194-1080380 (SMJ)

Date: August 06, 2007

Division of Chief Deputy Clerk
Lane County Deeds and Records

2007-055616



\$46.00

08/08/2007 01:41:41 PM

RPR-DEED Cnt=1 SIn=8 CASHIER 01
\$25.00 \$11.00 \$10.00

STATUTORY WARRANTY DEED

Vesta Riddle, Grantor, conveys and warrants to **Richard M. Sorensen**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The **2007-2008** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$111,200.00**. (Here comply with requirements of ORS 93.030)

APN: 0561041

Statutory Warranty Deed
- continued

File No.: 7194-1080380 (SMJ)
Date: 08/06/2007

EXHIBIT A

LEGAL DESCRIPTION:

BEGINNING AT THE NORTHWEST CORNER OF THE JOHN SMITH DONATION LAND CLAIM NO. 48, IN SECTION 4, TOWNSHIP 15 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, THENCE SOUTH 8.00 FEET TO THE CENTER OF COUNTY ROAD AS NOW TRAVELED; THENCE ALONG THE CENTER LINE OF SAID ROAD SOUTH 85° 00' WEST 145.55 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING ALONG THE CENTER LINE OF SAID ROAD SOUTH 85° 00' WEST 159.61 FEET; THENCE SOUTH 130.50 FEET; THENCE EAST 159.00 FEET; THENCE NORTH 144.36 FEET TO THE TRUE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

EXCEPT THOSE PORTIONS CONVEYED TO LANE COUNTY BY DEED RECORDED MARCH 10, 1981, RECEPTION NO. 81-10385 AND BY DEED RECORDED JUNE 05, 1998, RECEPTION NO. 98-43477, OFFICIAL RECORDS OF LANE COUNTY, OREGON.





**TYPE IV – ANNEXATION
STAFF REPORT AND FINDINGS OF FACT**

File Name: Mt. Vernon Road Annexation

Applicant: Richard Sorensen

Case Number: 811-22-000062-TYP4

Proposal Location: 5423 Mt. Vernon Road
(Assessor’s Map 17-03-14-00, TL 1500)

Current Zoning & Comprehensive Plan Designation: Community Commercial (CC)

Applicable Comprehensive Plan: *Metro Plan and Springfield 2030 Comprehensive Plan*

Application Submittal Date: March 8, 2022



Associated Applications: 811-22-000019-PRE (Development Issues Meeting); 811-22-000038-PRE (Pre-Submittal); 811-22-000050-TYP1 (Non-Conforming Use Determination and Continuance)

CITY OF SPRINGFIELD’S DEVELOPMENT REVIEW COMMITTEE:

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Melissa Cariño	541.744.4068
Transportation Planning Engineer	Transportation	Michael Liebler	541.736.1034
Public Works Civil Engineer	Streets and Utilities	Clayton McEachern	541.726.1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541.726.2293
Building Official	Building	Chris Carpenter	541.744.4153

Review Process (Springfield Development Code (SDC) 5.7-115): The subject annexation request is being reviewed under Type IV procedures, without Planning Commission consideration.

Development Issues Meeting (SDC 5.7-120): A Development Issues Meeting (DIM) is required of all public agency and private landowner-initiated annexation applications, unless waived by the Director.

Finding: A Development Issues Meeting for the subject annexation request was held on February 3, 2022 (Case 811-22-000019-PRE).

Conclusion: The requirement in SDC 5.7-120 is met.

Annexation Initiation and Application Submittal (SDC 5.7-125): In accordance with SDC 5.7-125.B.2.b.i and ORS 222.170(1), an annexation application may be initiated by “more than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land.”

Finding: The property owner, who owns all the land and real property, and full assessed value of real property in the subject territory, have filed an application and petition requesting annexation to the City of Springfield (Attachment 2, Exhibit B).

Finding: In addition to the petition, the submitted application includes the required documents listed under SDC 5.7-125.B. This includes a Verification of Property Owners signed by the Lane County Department of Assessment and Taxation (Form 1), the Ownership Worksheet (Form 2), and a Waiver Form in accordance with ORS 222.173 (Form 4).

Conclusion: The application requirements in SDC 5.7-125 have been met.

Site Information: The proposed annexation area consists of the 0.41-acre subject property with an existing residence and a portion of the Mt. Vernon Road public right-of-way (ROW), which includes the area that abuts the subject property to the center line of the ROW. The property is located on the southern side of Mt. Vernon Road and west of Mt. Vernon Cemetery Road. The subject site is inside the Springfield Urban Growth Boundary (UGB) and is only separated from Springfield city limits by the Mt. Vernon Road public ROW.

Zoning for the property is Community Commercial with an Urbanizable Fringe Overlay (UF-10). According to the applicant's submittal, the primary purpose of the annexation request is to have the existing residence connect to public sanitary sewer and public water due to a failing septic tank, which created a health hazard to the ground water and the on-site well. The applicant proposes to extend the sanitary sewer to their property from the north side of the Mt. Vernon Road public right-of-way. A public sanitary sewer line stub would be extended to serve the existing residence. The applicant will be responsible for improving the Mt. Vernon Road frontage of the property at the time of future development. For this reason, an Annexation Agreement was prepared for execution by the applicant and the City that outlines the applicants' responsibilities and financial obligations for provision of public streets, utilities, and services to the property.

The current residential use on the subject property is not a permitted use within Community Commercial (CC) zoning districts in accordance with SDC 3.2-415. Because of the underlying CC zoning of this property, the applicant submitted a Non-Conforming Use Determination and Continuance application (Case 811-22-000050-TYP1) on February 23, 2022, and obtained City approval on March 9, 2022.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff), schools (Springfield School District), roads (City of Springfield and Lane County), and ambulance services (Eugene/Springfield Fire). The applicants currently receive water service from the existing onsite well, fire protection from the Willakenzie Rural Fire Protection District, and electricity from Emerald People's Utility District (EPUD); however, the Springfield Utility Board (SUB) operates the existing water utility infrastructure along the Mt. Vernon Road site frontage. Unincorporated properties in the vicinity are served by individual wells. Upon annexation, the City of Springfield will be responsible for all urban services, including sewer, water (through SUB), and police/fire response (through Eugene/Springfield Fire) to the subject area. Electric service will still be provided by Emerald People's Utility District (EPUD) as the subject property is located in an EPUD service area for Lane County.

Notice Requirements (SDC 5.7-130): Consistent with SDC 5.7-130, notice was provided as follows:

Mailed Notice. Notice of the annexation application was initially mailed April 4, 2022, but it unfortunately had the wrong public hearing date listed. A second, revised notice was mailed April 18, 2022, which is at least 14 days prior to the public hearing date. This mailing went to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the proposed annexation territory; affected special districts (Willakenzie Rural Fire Protection District, Eugene/Springfield Fire) and all other public utility providers (Springfield Utility Board, EPUD, CenturyLink Telecommunications); and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners. The list of recipients of the mailed notice is included with the Affidavit of Mailing for this annexation application and is retained as part of the public record for Planning Case 811-22-000062-TYP4.

Newspaper Notice. Notice of the May 2, 2022 public hearing was published in *The Register-Guard* on April 7th and April 24th.

Posted Notice. A total of 4 notices were posted for the May 2, 2022 public hearing. Notice was posted on the Department of Public Works' Digital Display in City Hall on April 11th, and the notice was also posted on the City's website on April 20th. Two notices were also posted along the subject property's Mt. Vernon Road street frontage on April 19th, and a notice was also posted in the City Hall lobby on April 20th.

Finding: Upon annexation of the subject territory to the City, the underlying Community Commercial (CC) zoning will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, the Oregon Department of Land Conservation and Development (DLCDD) was notified in writing of the annexation proceedings prior to the public hearing. Notification to DLCDD regarding the proposed annexation was sent on March 15, 2022, to meet the state requirements of a 35-day advance notice of a public hearing.

Finding: Staff did not receive any written comments from the public on this application prior to the initial April 18th deadline for preparing the staff report. Written comments may still be received before or at the May 2nd City Council meeting. All comments, if any received, will be incorporated into the presentation and public hearing for this annexation request.

Finding: SDC 5.7-130.C requires that notices of the public hearing shall be posted in 4 public places in the City for 2 successive weeks prior to the hearing date. While the Digital Display posting meets the requirements, the other public notices did not.

Conclusion: Notice of the May 2nd public hearing was not provided consistent with SDC 5.7-130.C. **Because the requirements of SDC 5.7-130.C were not met, City staff recommend the City Council continue the public hearing for this annexation request to their next meeting on May 16, 2022.**

Recommendation to City Council (SDC 5.7-135): The Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 5.7-140, which are provided as follows with the SDC requirements, findings, and conclusions. City staff conclude that with a continuance of the public hearing, the staff report findings show compliance with all the annexation criteria of approval listed in SDC 5.7-140.

Criteria (SDC 5.7-140): The application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is**
- 1. Contiguous to the city limits; or**
 - 2. Separated from the City only by a public right of way or a stream, lake or other body of water.**

Finding: The subject annexation territory is located within the City of Springfield's acknowledged urban growth boundary (UGB). The property requested for annexation is separated from Springfield city limits by the Mt. Vernon Road public right-of-way at the northeast portion of the subject property. Therefore, this annexation application meets the statutory requirement for annexation as found in ORS 222.111(1).

Conclusion: The proposal meets and complies with criterion A(1), Subsection 5.7-140.

B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans or Plan Districts;

Finding: The annexation area is located within the acknowledged Springfield UGB. As explained by the *Springfield 2030 Comprehensive Plan*, territory within the delineated UGB ultimately will be within the City of Springfield.

Finding: The *Springfield 2030 Comprehensive Plan* amends the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) through adoption of ordinances since 2011. Volume 1 of the *Springfield 2030 Comprehensive Plan* includes the following elements: Economic, Residential Land Use & Housing, Recreation, Transportation, and Urbanization. In December 2016, Springfield adopted the Urbanization Element in compliance with Statewide Planning Goal 14, Urbanization. The *Urbanization Element* explicitly retains the *Metro Plan*'s long-standing urbanization policy criteria for approving annexations.

Finding: The territory requested for annexation is within an area that is zoned and designated for Community Commercial (CC) use. The adopted elements of the *Springfield 2030 Comprehensive Plan* apply to areas within the Springfield UGB, particularly the *Urbanization Element* adopted by Ordinance 6361. There are no proposed changes to the current zoning or plan designation for the property, although the Urbanizable Fringe (UF-10) overlay will be effectively removed upon annexation.

Finding: The continued annexation of properties to the City of Springfield is consistent with Policies 27 and 29 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, which will result in the elimination of special districts within the urbanizable area. The *Metro Plan* and the *Springfield 2030 Comprehensive Plan – Urbanization Element* recognize that as annexations to the City occur, the special district service areas within the UGB will diminish incrementally and eventually will be dissolved.

Finding: The territory requested for annexation is currently within the service area of the Willakenzie Rural Fire Protection District. The rural fire service district has a service arrangement with Eugene/Springfield for provision of fire and emergency medical service response to unincorporated areas of Springfield. After the public hearing and upon Council adoption of the annexation Ordinance, the annexation area will be withdrawn from the Willakenzie Rural Fire Protection District consistent with ORS 222.520 and 222.524, and the combined fire and life safety departments of the Cities of Eugene & Springfield will provide fire protection and emergency medical service directly to the annexation area.

Finding: In accordance with Policy 33 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, SUB is the exclusive water service provider within the Springfield City Limits. SUB will become the direct service provider upon official annexation approval.

Finding: In accordance with Policy 34 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, when unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by one of the following methods in this priority order: a) Annexation to City; or b) Contractual annexation agreements with City. Due to the health hazard and because the applicant already signed off on the Annexation Agreement (Attachment 2, Exhibit D), the applicant already connected or is in the process of connecting to new urban services such as SUB water service and the public sanitary sewer. If this annexation request is approved, the subject property will be provided with new urban services from Eugene/Springfield Fire Protection and the Springfield Police Department.

Finding: In accordance with Policy 35 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, the City shall not extend water or wastewater service outside city limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard abatement annexation is required. The property owners applied for annexation to the City (Attachment 2, Exhibit B) with all the required forms, and an Annexation Agreement has been prepared for execution by the City upon Council approval.

Conclusion: The proposal meets and complies with criterion B, SDC 5.7-140.

C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and

Finding: In accordance with Policy 29 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, annexation shall continue to be a prerequisite for urban development and the delivery of City services in accordance with the Springfield Comprehensive Plan and Springfield Development Code.

Finding: In accordance with Policy 31 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, key urban facilities and services are defined as wastewater service; stormwater service; transportation; solid waste management; water service; fire and emergency medical services; police protection; citywide park and recreation programs; electric service; land use controls; communication facilities; and public schools on a districtwide basis.

Finding: In accordance with Policy 32 of the *Springfield 2030 Comprehensive Plan – Urbanization Element*, urban services provided by the City upon annexation to Springfield include storm and sanitary sewer; water; transportation systems; police and fire protection; planning, building, code enforcement and library services; and public infrastructure maintenance of City-owned or -operated facilities.

Finding: The territory requested for annexation is separated by City Limits to the northeast across from the Mt. Vernon Road public right-of-way. Urban utilities including sanitary sewer, electricity, and water service, have been extended within the Mt. Vernon Road public right-of-way (ROW) and are available to serve the subject property, adjacent properties, and areas beyond the annexation territory. Therefore, the urban service delivery systems are already available and in place or can be logically extended from points in the vicinity to serve the subject property and future commercial development. In addition to urban utilities, the following facilities and services are either available or can be extended to this annexation area:

Water – As noted above, SUB is the exclusive water service provider for properties within the City limits. Due to the health hazard situation, the applicant already connected to SUB water service after the Annexation Agreement was signed. SUB states that there is enough capacity for the existing water connection to serve the current residential use as well as potential future commercial development at this property and is sufficient to meet the potential demand of future development and uses on site in accordance with the Schedule of Community Commercial (CC) Use Categories listed in SDC 3.2-310. (*SUB Water Representative: Keoki Lapina, KeokiL@subutil.com*)

Electricity – SUB provides electric service to most neighborhoods in Springfield within incorporated areas of Springfield; however, this area is served by Emerald People’s Utility District (EPUD) electrical service. EPUD owns and maintains electrical system infrastructure in neighborhoods they serve. Existing electrical system infrastructure within the Mt. Vernon Road public right-of-way will continue to provide service to the subject property and continue to be maintained by EPUD. The existing EPUD infrastructure is designed to meet the capacity needs for both residential and commercial developments in the vicinity. The existing capacity of the infrastructure is sufficient to meet the potential demand of future development and uses on site in accordance with the Schedule of Campus Commercial Use Categories (SDC 3.2-310). (*EPUD Electric Representative: Debbie Jenkins, DebbieJ@epud.org*)

Police Services – Springfield Police Department currently provides service to areas of Springfield that are already inside the City limits. The annexation territory is currently within the jurisdiction of the Lane County Sheriff’s Department. Upon annexation, this area will receive Springfield Police services on an equal basis with other properties inside the City.

Fire and Emergency Services – Fire protection is currently provided to the annexation area by Eugene/Springfield Fire Department under contract with the Willakenzie Rural Fire Protection District. Upon annexation, the Eugene/Springfield Fire Department will provide fire and emergency services directly to the subject territory.

Emergency medical transport (ambulance) services are provided on a regional basis by the Eugene/Springfield Fire Department. The annexation area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other’s jurisdictions.

Parks and Recreation – Park and recreation services are provided by the Willamalane Park & Recreation District. The park district operates several indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Bob Keefer Center for Sports and Recreation, and Willamalane Adult Activity Center. The park district offers various after-school and other programs for children at schools and parks throughout the community. Also available are pathways and several categories of parks, including community parks, sports parks, special use parks, and natural area parks.

Concurrent with annexation to the City of Springfield, the subject property will be annexed to the Willamalane Park & Recreation District consistent with City policy, an intergovernmental agreement between the City of Springfield and Lane County, and the adopted Willamalane Comprehensive Plan.

Library Services – Upon annexation to the City of Springfield, the subject area’s residents will be served by the Springfield Public Library.

Schools – The Springfield School District serves this area of Springfield. The Springfield School District has capacity to continue serving the annexation area and its residents in its current configuration.

Sanitary Sewer – Currently, the subject property is served by a septic system. An existing public sanitary sewer system is located on the north side of Mt. Vernon Road. It consists of an 8-12” main service line that runs eastward to the South 55th Street intersection. The property is zoned Community Commercial (CC). The existing 8-12” main has sufficient capacity for both the current residential use on this lot and the surrounding lots as well as potential future commercial development permitted in CC zoning. City Staff evaluated the Wastewater Master Plan, and using the assumptions provided within, deemed a sewer capacity analysis consistent with EDSPM section 2.02.2 is not required. No future conforming use would increase demand on the system beyond 5000 gpd or 10% of downstream capacity as planned in the Wastewater Master Plan.

Stormwater – The subject annexation territory is currently served by public stormwater management system facilities along the southern side of the Mt. Vernon Road public right-of-way. Extension and expansion of the public stormwater system is not yet planned for this vicinity, and additional stormwater runoff must be managed and mitigated on site. An existing public storm sewer system is also located on the northern side of the Mt. Vernon Road public right-of-way, but the applicant does not plan to increase impervious surfaces at this site so no additional stormwater management is required at this time.

Streets – The Property has legal and physical access to Mt. Vernon Road. Mt. Vernon Road is classified as a major collector and is not improved to current City standards. Currently, the street provides adequate access for the existing residential use. Full improvements to Mt. Vernon Road per clause 1.1.2 in the signed Annexation Agreement will be required at time of development consistent with zoning.

In addition to the subject property, a portion of the Mt. Vernon Road public right-of-way (ROW) - from the subject property’s northern boundary to the ROW center line - is also proposed for annexation. With annexation, the applicant will be responsible for improving the segment of Mt. Vernon Road along the northern boundary of the subject property as will provided in the Annexation Agreement, and the City of Springfield will take on jurisdiction of that portion of the Mt. Vernon Road ROW.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for garbage service inside the City limits. Upon annexation, solid waste disposal service would be provided by Sanipac.

Communication Facilities – Various providers, such as CenturyLink, offer both wired and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to this area.

Land Use Controls – The annexation area is within Springfield’s urban growth boundary (UGB). Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and

building jurisdiction for unincorporated areas of Springfield. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as outlined in the adopted *Metro Plan* and the *Springfield 2030 Comprehensive Plan – Urbanization Element* are immediately available and have the capacity to serve the site.

Conclusion: Due to adequate information regarding the availability and capacity of key urban facilities and services as defined in the *Metro Plan*, the proposal and the findings above show how it complies with criterion C, SDC 5.7-140.

D. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Finding: An Annexation Agreement that outlines the applicants' financial responsibility for provision of public streets and utilities necessary to serve the property is available for review (Attachment 2, Exhibit D). The Annexation Agreement has already been executed by the applicant in order to connect to SUB water services and the public sanitary sewer system. Upon annexation approval by City Council, the agreement will need to be executed by the City for the annexation action to be concluded. Upon future development and change of use on the subject property, the property owner will be responsible for the cost of constructing the public improvements necessary to serve the area. Therefore, any potential fiscal impacts to the City have been mitigated by the executed Annexation Agreement.

Conclusion: The proposal meets and complies with criterion D, Subsection 5.7-140.

Withdrawal from Special Service Districts (SDC 5.7-160): Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The Director shall recommend to the City Council for consideration of the withdrawal of the annexed territory from special districts as specified in ORS 222. In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City. Notice of the withdrawal shall be provided in the same manner as the annexation notice in Section 5.7-150.

Finding: The annexation area is within the delineated service territory of the Willakenzie Rural Fire Protection District for fire protection service. Consistent with SDC 5.7-160, notice was provided and a public hearing is scheduled for May 2. The withdrawal from the Willakenzie Rural Fire Protection District is necessary to implement Policies 31 and 32 of the *Springfield 2030 Comprehensive Plan – Urbanization Element* whereby annexation is prioritized for the City of Springfield to provide urban services to its incorporated territory, and existing special service districts within the City's UGB are to be dissolved over time. Thus, withdrawal from the Willakenzie Rural Fire Protection District is in the best interest of the City.

ANNEXATION AGREEMENT

This Annexation Agreement (“Agreement”) is made between the City of Springfield, an Oregon municipal corporation (“City”) and Richard Sorensen (“APPLICANT”).

RECITALS

- A. APPLICANT owns the parcel of land legally described in Exhibit A, the Property. The property is proximate to the jurisdictional limits of the City and is subject to annexation by the City of Springfield following minor boundary change processes.
- B. APPLICANT submitted an Annexation Pre-Submittal application on February 23, 2022, and will be submitting to the City a request for Annexation for Assessor’s Map No. 18-02-04-42 Tax Lot 00800, which is currently municipally addressed as 5423 Mt. Vernon Road and is more particularly described in Exhibit A.
- C. APPLICANT wishes to annex the Property to the City and seeks support from the City for the annexation. At the time of annexation, the Property will also be annexed into the Willamalane Park & Recreation District, and the property owner must pay Willamalane’s applicable system development charges.
- D. The Property is inside the recognized Urban Growth Boundary of the City of Springfield. The Property is within the Urbanizable Fringe Overlay District (UF-10) according to the Springfield Zoning Map, and the underlying zoning is Community Commercial (CC).
- E. Annexation of the Property requires a showing under SDC 5.7-140.C that the Property can be provided with the minimum level of key urban facilities and services as defined in Policy 31 of the *Springfield 2030 Refinement Plan – Urbanization Element*, and such showing is supported by the substantial evidence in the record of the proceeding on this annexation. City staff has determined the minimum level of key urban services is currently available to the Property for both the current non-conforming residential use and any future permitted commercial development.
- F. The purpose of this Agreement is to memorialize APPLICANT’s and City’s commitment and agreement to the allocation of financial responsibility for public facilities and services for the Property and other users of the facilities, sufficient to meet the City’s requirements for the provision of key urban services, including long term public sanitary sewer, stormwater management systems, interconnected transportation systems, water and electrical service, and Fire and Life Safety services necessary for an affirmative City recommendation for the annexation request.

After Recording, Return to:

Place Bar Code Sticker Here:

City of Springfield
Attn: Current Development Division
Development & Public Works Department
225 Fifth Street
Springfield, OR 97477

- G. A public sanitary sewer system with sufficient capacity to serve the Property and future commercial development on both the Property and in the vicinity of the Property is necessary to support a finding that this key urban service is available to serve the Property.
- An existing public sanitary sewer system is located along the north side of Mt Vernon Road. It consists of an 8” main with no existing laterals extended to the Property. The property is zoned Community Commercial. While the existing 8” main already has sufficient capacity for the current residential use on this lot, the main also has sufficient capacity to serve future commercial development on the Property.
 - No existing sanitary sewer service connection is extended to the Property. The applicant will be responsible for installing the connection across Mt Vernon Road and repaving the public right-of-way.
 - City Staff evaluated the Wastewater Master Plan, and using the assumptions provided within, deemed a sewer capacity analysis consistent with the City of Springfield Engineering Design Standards and Practices Manual (EDSPM) Section 2.02.2 is not required. No future conforming use would increase demand on the system beyond 5,000 gpd or 10% of downstream capacity as planned in the Wastewater Master Plan. Currently, the subject property is served by a failing septic system.
- H. A public stormwater management system with sufficient capacity to serve the Property and future commercial development on both the Property and in the vicinity of the Property is necessary to support a finding that this key urban service is available to serve the Property.
- An existing public storm sewer system of culverts and channels exists along the south side of Mt Vernon Road that drains over land to the west under the existing Railroad line and Jasper Road. The storm system has the capacity to serve the Property and its existing use.
 - City Staff determined that any increase in impervious area on the Property and surrounding parcels for permitted uses will require a drainage report and mitigation measures relevant to that increase as per the City of Springfield EDSPM and the City of Eugene Stormwater Management Manual.
- I. An interconnected transportation system with the existing and possible future commercial development on and in the vicinity of the Property is required in order to provide access and provision of Fire and Life Safety services to and from the annexed property.
- The Property has legal and physical access to Mt Vernon Road along the north frontage of the lot and currently has a single unpaved driveway to this road.
 - Mt Vernon road consists of an asphalt mat without further urban improvements of curb and gutter, sidewalk, and street trees.

- J. Springfield Utility Board (SUB) provides both water and electric service to most properties within City limits. However, SUB Electric does not have any infrastructure for the Property and the nearby vicinity. The availability and capacity of these key urban services (water, electric) are required to serve the Property.
- The Property currently receives water service from an onsite well, and fire protection is provided by the Willakenzie Rural Fire Protection District. SUB will provide water service to the Property after the annexation is officially approved and will install a SUB water meter. SUB has a 16" water line running east-west on Mt Vernon Road and with enough capacity to serve the Property for its existing residential use and future commercial development on the Property.
 - Emerald People's Utility District (EPUD) currently provides electrical service to the Property and will continue to provide service after annexation. While the current EPUD connection is enough for the existing residential use, EPUD also has single, two, and three phase high voltage infrastructure nearby to serve future commercial development on the Property and the vicinity.
- K. In order to facilitate orderly development of the Property and ensure the full provision of key urban services that are satisfactory to the City and meet the City's conditions for an affirmative recommendation for annexation to the Common Council, and in exchange for the obligations of the City set forth below, APPLICANT must comply with all requirements imposed on APPLICANT in this Agreement.

Now, therefore based upon the foregoing Recitals, which are specifically made a part of this Agreement, the parties agree as follows:

AGREEMENT

1. Obligations of APPLICANT. Consistent with the above Recitals, APPLICANT agrees to perform the obligations set forth in this section.
 - 1.1.1. Property Owner of this parcel must maintain the existing driveway location and width in its current configuration until property redevelops to a conforming use for Community Commercial zoning.
 - 1.1.2. Property Owner of this parcel must fully improve the parcel's street frontage along the southern side of Mt Vernon Road to full urban standards to include full street width paving, sidewalks, curb and gutter, street trees, and storm drainage requirements, when any site plan or other development permit is approved that conforms to the existing Community Commercial zoning. There are not applicable transportation system development charges for this annexation request.
 - 1.1.3. Property Owner of this parcel agrees to connect to the existing public sanitary sewer system and decommission the existing septic system for the existing non-conforming dwelling. The Property Owner must also pay all applicable system development charges and sewer in-lieu-of assessment fees for connecting to the City's public

sanitary sewer system. The applicable system development charges and fees will be assessed when plumbing permits are issued, and the Property Owner must pay these before decommissioning the existing septic system and before connecting to the public sanitary sewer.

- 1.1.4. This Property is already part of Lane County's storm drain system located in Mt Vernon Road, and the Property Owner will not have any applicable system development charges for stormwater management unless the Property Owner creates any increase in stormwater runoff from new impervious area for ANY development on site. If the Property Owner cannot show how to adequately treat and dispose of using the methods in the City of Springfield EDSPM and the City of Eugene Stormwater Management Manual, the existing drainage ditch along Mt Vernon Road along the northern boundary of the Property may also be used for an overflow only for the on-site stormwater management system. The Property Owner must pay any applicable system development charges related to stormwater management.
- 1.2. APPLICANT must provide and be financially responsible for the provision of any required urban facilities and services identified during the review and approval of any land division or development permit as necessary to serve the further development of the Property, including the construction and maintenance thereof. Urban facilities and services include utility services, street paving, sidewalks, curb and gutter, street trees, streetlights, street access points, and storm drainage requirements. Other redevelopment on the Property, without further land division, will be subject to the applicable development standards and requirements listed in the Springfield Development Code.
- 1.3. In determining APPLICANT's share of costs for the improvements described in this Agreement, the full cost for the provision of the improvements at the time of construction must be used. For the purposes of this Agreement, the full cost must include design, construction, acquisition of land and/or easements, studies, permits from all agencies having jurisdiction, attorney's fees, and all other costs reasonably associated with the implementation of the needed improvements.
2. Obligations of City. Consistent with the above Recitals, City agrees to:
 - 2.1 Process the annexation request and support annexation of the Property to the City before the Common Council, and support APPLICANT's defense of any appeal of a decision to the City. However, the City will not assume any financial responsibility to provide legal counsel on appeal.
3. Covenants Running with the Land. It is the intention of the parties that the covenants herein are necessary for the annexation and development of the Property and as such must run with the Property and must be binding upon the heirs, executors, assigns, administrators, and successors of the parties hereto, and must be construed to be a benefit to and burden upon the Property. This Agreement must be recorded, at APPLICANT's expense, upon its execution in the Lane County Deeds and Records. This Agreement may be assigned by APPLICANT and must benefit any assigns or successors in interest to APPLICANT. Execution of this Agreement is a precondition to the support of the City for annexation of the Property described in Exhibit A to the City. Accordingly, the City retains all rights for enforcement of this Agreement.

4. Limitations on the Development. No portion of the Property may be further developed prior to the approval of a development permit for the proposed development.
5. Mutual Cooperation. City and APPLICANT must endeavor to mutually cooperate with each other in implementing the various matters contained herein.
6. Waiver of Right of Remonstrance. APPLICANT agrees to sign any and all waivers, petitions, consents and all other documents necessary to obtain the public facilities and services described herein as benefiting the Property, under any Improvement Act or proceeding of the State of Oregon, Lane County, or the City and to waive all rights to remonstrate against these improvements. APPLICANT does not waive the right to protest the amount or manner of spreading the assessment thereof, if the assessment appears to APPLICANT to be inequitable or operate unfairly upon the Property. APPLICANT waives any right to file a written remonstrance against these improvements. APPLICANT does not waive its right to comment upon any proposed Local Improvement District (LID) or any related matters orally or in writing.
7. Modification of Agreement. This Agreement may only be modified in writing signed by both parties. Any modifications to this Agreement must require the approval of the Springfield Common Council. This Agreement must not be modified such that the minimum level of key urban facilities and services as defined in Policy 31 of the *Springfield Comprehensive Plan – Urbanization Element* and as required herein are not provided in a timely manner to the Property.
8. Land Use. Nothing in this Agreement may be construed as waiving any requirements of the Springfield Development Code or Springfield Municipal Code which may be applicable to the use and development of this Property. Nothing herein may be construed as City providing or agreeing to provide approval of any building, land use, or other development application or Land and Drainage Alteration Program (LDAP) permit application submitted by APPLICANT. APPLICANT is responsible for obtaining, at APPLICANT's expense, all State and/or Federal permits and any other approvals as may be required.
9. Dolan. APPLICANT knows and understands any rights it may have under the law as interpreted in Dolan v. City of Tigard, 512 US 374 (1994) and subsequent cases interpreting the legal effect of Dolan and by entering into this Agreement hereby waives any requirement that the City demonstrate the public improvements and other obligations of APPLICANT, for payments, financial responsibility and reimbursements set forth in Section 1, required herein, are roughly proportional to the burden and demands placed upon the urban facilities and services by the development and to the impacts of the development of the Property. APPLICANT further waives any cause of action it may have pursuant to Dolan v. City of Tigard and cases interpreting the legal effect of Dolan arising out of the actions described herein.
10. Ballot Measures 37/49/ORS 195.300 et seq. APPLICANT knows and understands any rights it may have under Oregon Revised Statutes (ORS) Chapter 195.300 et seq., "Just Compensation for Land Use Regulation." APPLICANT for itself and its heirs, executors, assigns, administrators and successors hereby waive any claim or cause of action it may have under such ORS provisions against the City.

11. Invalidity. If any provision of this Agreement must be deemed unenforceable or invalid, such enforceability or invalidity must not affect the enforceability or validity of any other provision of this Agreement. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto must be determined in accordance with the laws of the State of Oregon.

DATED this 25 day of Feb, 2022

IN WITNESS WHEREOF, the APPLICANT and City have executed this Agreement as of the date first herein above written.

APPLICANT

Richard M Sorenson
By: _____

Feb 25, 22
Date _____

Its: _____

STATE OF OREGON }
COUNTY OF LANE } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON February 25th, 2022 BY
Richard Sorenson AS owner OF 5423 Mt. Vernon Rd.
(APPLICANT) Springfield OR 97478



Kelly R Notary
NOTARY PUBLIC FOR OREGON

CITY OF SPRINGFIELD

By: _____
Nancy Newton, City Manager

STATE OF OREGON }
COUNTY OF LANE } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____ BY

(CITY) AS _____ OF _____

NOTARY PUBLIC FOR OREGON

EXHIBIT A

LEGAL DESCRIPTION

Beginning at the Northwest corner of the John Smith Donation Land Claim No. 48, in Section 4, Township 18 South, Range 2 West of the Willamette Meridian; thence South 8.00 feet to the center of county road as now travelled; thence along the center line of said road South 85° 00' West 145.55 feet to the true point of beginning; thence continuing along the center line of said road South 85° 00' West 159.61 feet; thence South 130.50 feet; thence East 159.00 feet; thence North 144.36 feet to the true point of beginning, in Lane County, Oregon.

Except those portions conveyed to Lane County by Deed Recorded March 10, 1981, Reception No. 81-10385 and by Deed Recorded June 5, 1998, Reception No. 98-43477, Official Records of Lane County, Oregon.

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Matt Stouder
Staff Phone No: 541-736-1006
Estimated Time: 10 Minutes
Council Goals: Provide Financially Responsible and Innovative Government Services

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: SETTING LOCAL AND REGIONAL WASTEWATER AND STORMWATER USER FEES EFFECTIVE JULY 1, 2022

ACTION REQUESTED: 1) Conduct a public hearing on local and regional wastewater and local stormwater user fees.
2) Adopt A RESOLUTION OF THE CITY OF SPRINGFIELD SETTING LOCAL AND REGIONAL WASTEWATER (SEWER) USER FEES AND LOCAL STORMWATER (DRAINAGE) USER FEES AS SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.

ISSUE STATEMENT: Each year, the City Council reviews and establishes the rates for local wastewater and stormwater user fees and adopts regional wastewater user fees set by the Metropolitan Wastewater Management Commission. Council action is needed to establish user fees for FY 2022-23 (FY 22-23).

ATTACHMENTS: 1. Resolution
2. 4/25/22 Council Briefing Memorandum

**DISCUSSION/
FINANCIAL
IMPACT:** Each year, the City Council reviews and establishes the rates for local wastewater and stormwater user fees. Rates are established to provide adequate revenue to fund operation and maintenance (O&M) of Springfield’s wastewater (sanitary sewer) and stormwater systems, a portion of the Capital Improvement Program (CIP) for each program, and various other program related activities. The Council also adopts the user fees set by the Metropolitan Wastewater Management Commission (MWMC) for the Regional Wastewater Program.

Guidance was provided to staff to prepare a resolution based on both wastewater and stormwater services. Staff has provided a schedule of user charges for a public hearing based on a 3.0% adjustment in the rates for local wastewater and a 2.5% adjustment in stormwater user fees. In addition, the Council was informed that the MWMC adopted a 3.5% adjustment in the regional wastewater user fees that also needs to be incorporated into the schedule of user charges for FY 22-23.

Attachment 1, a resolution establishing the local and regional wastewater and local stormwater user fees for FY 22-23, is provided for Council consideration. Staff requests that the Council act on the resolution following the public hearing.

**CITY OF SPRINGFIELD, OREGON
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY OF SPRINGFIELD SETTING LOCAL AND REGIONAL
WASTEWATER (SEWER) USER FEES AND LOCAL STORMWATER (DRAINAGE) USER FEES AS
SET FORTH IN THE SPRINGFIELD MUNICIPAL CODE.**

WHEREAS, the City of Springfield has established a system of wastewater and stormwater drainage sewer systems; and

WHEREAS, under the Intergovernmental Agreement (IGA) entered into by the City of Springfield, the City of Eugene and Lane County in February, 1977, and as subsequently amended, the Metropolitan Wastewater Management Commission (MWMC) constructs, operates, and maintains the regional sewerage facilities, as described in the IGA; and

WHEREAS, the costs related to operation, maintenance and certain capital improvements of the local and regional wastewater sewer systems, and the local stormwater drainage systems are funded through user fees; and

WHEREAS, Sections 4.206(3) and 4.208(2)(a)(i) and (ii) of the Springfield Municipal Code authorize the setting of wastewater and stormwater charges by resolution of the Council; and

WHEREAS, the MWMC approved Resolution 22-02, adopting the Regional Wastewater Program Budget and Capital Improvements Program for fiscal year (FY) 2022-2023, and Resolution 22-01, adopting a schedule of user fees for FY 22-23 operations and capital programs, on April 8, 2022, after reviewing the proposed Resolutions in a series of public meetings and/or public hearings; and

WHEREAS, Section 8(c) of the MWMC IGA obligates the City to "adopt user charges required by 40 CFR 35.929 in an amount not less than adopted by the Commission"; and

WHEREAS, the schedule of sewer user fees, attached as Exhibit "A," and incorporated herein, is needed to collect revenues necessary to fund the operations, maintenance, and certain capital improvements of the local and regional wastewater (sewer) system and the local stormwater drainage system in FY 22-23.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD:

Section 1: The City of Springfield Schedule of Local and Regional Wastewater (Sanitary Sewer) User and Local Stormwater (Drainage) Fees, which is attached as Exhibit "A," is hereby adopted and shall take effect with bills rendered on or after July 1, 2022.

Section 2: This Resolution shall take effect upon its adoption by the Council.

ADOPTED by the Common Council of the City of Springfield this _____ day of May, 2022, by a vote of _____ for and _____ against.

ATTEST:

City Recorder

EXHIBIT A

<p>Wastewater (Sanitary Sewer) Beginning with bills rendered on or after July 1, 2022 Wastewater charges shall be as follows:</p>						
Wastewater Monthly Fee Schedule						
Wastewater Flow-Based Fee (per unit - 748 gallons)						
	Residential Customer	Commercial / Industrial Customers				
		Low Strength 400*	Medium Strength 800*	High Strength 1200*	Very High Strength 1600*	Super High Strength Over 1600*
MVMC	\$2.160	\$2.901	\$4.227	\$5.999	\$7.775	\$9.547
City of Springfield	\$3.795	\$3.795	\$3.795	\$3.795	\$3.795	\$3.795
Total	\$5.955	\$6.696	\$8.022	\$9.794	\$11.570	\$13.342
* Average total biochemical oxygen demand and suspended solids in milligrams per liter (mg/L)						
Base Charge: A regional (MVMC) monthly base charge of \$14.51 is applied to each account						

<p>Stormwater (Drainage) Beginning with bills rendered on or after July 1, 2022 Stormwater charges shall be as follows:</p>					
Stormwater Monthly Fee Schedule					
* Residential: \$16.00					
** Commercial	Very Heavy >70%	Heavy 41-70%	Moderate 20-40%	Light <20%	Undeveloped 0%
Base Fee per 1,000 sq ft	\$1.859	\$1.859	\$1.859	\$1.859	\$0.000
Impact Fee per 1,000 sq ft	\$2.792	\$1.628	\$0.467	\$0.000	\$0.000
Total Rate per 1,000 sq ft	\$4.651	\$3.487	\$2.327	\$1.859	\$0.000
* Residential includes single family residential and duplex households					
** Commercial is based on percentage of property development (impervious surface)					
** In addition to the Commercial rates above, an Administrative Fee of \$1.847 per account is applied monthly					

MEMORANDUM

City of Springfield

Date: 4/25/2022

To: Nancy Newton, City Manager

COUNCIL

From: Matt Stouder, Environmental Services Division Director
Katherine Bishop, ESD Program Manager

BRIEFING

MEMORANDUM

Subject: Wastewater and Stormwater User Fees FY 2022-23

ISSUE:

User fees for local wastewater and stormwater services are reviewed annually by the Council as part of the City's budget development process. Staff is in the process of updating user fees for Council consideration and adoption. A public hearing is scheduled for May 2, 2022. Additionally, the Metropolitan Wastewater Management Commission (MWMC) approved a schedule of Fiscal Year 2022-23 (FY 22-23) regional wastewater user fees on April 8, 2022 and will forward them to the Cities of Springfield and Eugene for implementation.

COUNCIL GOALS/

MANDATE:

Provide Financially Responsible and Innovative Government Services

To fund services associated with the City's wastewater and stormwater programs and adopted Capital Improvement Program (CIP), a revenue plan that includes an adjustment in user fees for FY 22-23 has been prepared for Council consideration. Revenues generated from user fees fund ongoing system maintenance, investments in capital improvements to replace existing infrastructure and accommodate new development, meet revenue bond covenants, ensure environmental and regulatory permit requirements are met, and maintain operating and capital reserves.

BACKGROUND:

As part of the budget development process, the City develops an annual CIP and operating budget for the local wastewater and stormwater programs. These programs face many challenges, including fixed operating and maintenance costs, capital project costs that often inflate at rates higher than the Consumer Price Index, and costs to comply with Federal and State environmental mandates.

To meet these challenges, the City develops the CIP and operating budget, makes debt service payments, and sets reserve levels as established by the Council. This information is then used to determine annual funding requirements. Primary funding sources include wastewater and stormwater user fees (for operating and capital expenses), and system development charges (SDCs) for capital only expenses. In addition to local fees, the MWMC establishes regional wastewater charges to fund the Regional Wastewater Program.

The services the City provides are vital to economic development activity and the health and safety of the City's local waterways and rank highly among Springfield residents. Ongoing survey results indicate that promoting economic development and maintaining a healthy environment and water quality are a very high priority. A brief description of the City's local wastewater and stormwater programs is discussed below:

Local Wastewater Program

The wastewater system serving Springfield has two components: (1) a local wastewater collection system owned and operated by the City, and (2) a regional conveyance, treatment and disposal system owned and operated by the MWMC. The local system is comprised of about 240 miles of collection pipelines and 17 pump stations. Operations and maintenance of the local collection system is funded entirely by revenue from local wastewater user fees. In addition, user fees are the primary source of funding for the City's CIP, which provides for system preservation, major rehabilitation, and expansion to support growth and development. Through previous rate actions, revenues for this program are stable, and current and projected CIP priorities have been programmed based upon moderate and incremental rate adjustments.

Local Stormwater Program

Stormwater management services are an important part of the City's effort to improve water quality, protect aquatic habitat and recreational opportunities, and protect properties and infrastructure from flooding. The City's National Pollutant Discharge Elimination System (NPDES) Stormwater Permit and Council adopted Stormwater Management Plan implement Federal and State water quality standards and guide the delivery of stormwater services for the community. The City's storm drainage system includes about 206 miles of stormwater pipe, 6,520 catch basins, 86 water quality structures, and over 70 public water quality facilities (including the Mill Race Stormwater Facility), which require ongoing inspection, maintenance, and vegetation control. In addition, street sweeping and leaf cleanup support surface stormwater quality activities that address permit compliance. Stormwater operations and maintenance services are funded entirely by revenue from the stormwater user fees. User fees are a primary source of funding for the maintenance, rehabilitation, and preservation of the City's stormwater capital infrastructure assets. The current and projected stormwater CIP program is based upon moderate and incremental rate adjustments.

PROPOSED LOCAL WASTEWATER AND STORMWATER USER FEE OPTIONS

Proposed FY 22-23 user fee options are discussed below for a residential monthly bill (assumes 6,684 units or 5,000 gallons of wastewater generated monthly for comparison with other communities). The *average* Springfield residential customer uses 4,300 gallons monthly. Note 5,000 gallons is used to normalize and compare with other communities. Options are presented for Council discussion and consideration.

Option 1: Combined Local Wastewater and Stormwater User Fee – 3.2% adjustment

The table below displays the proposed combined rate adjustment as a percentage (3.2%) and dollar amount (\$1.33) for a residential monthly bill. The level of projected rate change for future years is also displayed.

Option 1 fully funds existing system operations, maintenance, and regulatory obligations, as well as the Council approved CIP. This option also provides a more responsive forecast to the continued and projected decrease in wastewater volumes by users and positions the City to better mitigate revenue losses when significant system users make major modifications to their business practices. Option 1 considers the Engineering News-Record (ENR) Construction Cost Index (CCI) relative to inflation on construction materials and labor cost increases, which increased by an average of 3.7% overall in 2020 thru 2021, and in the first four months of 2022 inflation increased by an average of 4.8%. The ENR CCI rate of inflation is generally higher than the CPI inflation index, most closely aligning with the City's capital construction project costs.

Lastly, this option positions the City to better meet new requirements related to environmental permitting, including the new Phase II General Stormwater permit. It also allows for a greater transfer to capital reserves over the 5-year period coinciding with the City's 5-year CIP, which may allow for deferral of future revenue bond issuance or loans that include financing interest expenses and additional cash reserve requirements over a 20-year term.

Combined Local Wastewater and Stormwater FY 22-23 Rates and Forecast - Option 1

Fiscal Year	22-23 <i>Proposed</i>	23-24 <i>Projection</i>	24-25 <i>Projection</i>	25-26 <i>Projection</i>	26-27 <i>Projection</i>
<i>Local Wastewater Services</i>					
Monthly Residential Bill	\$ 25.49	\$ 26.38	\$ 27.31	\$ 28.26	\$ 29.11
Local Rate Adjustment	3.5%	3.5%	3.5%	3.5%	3.0%
Residential Increase	\$ 0.86	\$ 0.89	\$ 0.92	\$ 0.96	\$ 0.85
<i>Stormwater Services</i>					
Monthly Residential Bill	\$ 16.17	\$ 16.66	\$ 17.15	\$ 17.67	\$ 18.29
Local Rate Adjustment	3.0%	3.0%	3.0%	3.0%	3.5%
Residential Increase	\$ 0.47	\$ 0.49	\$ 0.50	\$ 0.51	\$ 0.62
<i>Local Wastewater & Stormwater Combined</i>					
Monthly Residential Bill	\$ 41.66	\$ 43.04	\$ 44.46	\$ 45.93	\$ 47.40
Rate Adjustments Combined	3.2%	3.3%	3.3%	3.3%	3.2%
Residential Rate Increase	\$ 1.33	\$ 1.38	\$ 1.42	\$ 1.47	\$ 1.47

Option 2 (Recommended): Combined Local Wastewater and Stormwater User Fee – 2.8% adjustment

The table below displays the recommended combined rate adjustment as a percentage (2.8%) and dollar amount (\$1.12) for a residential monthly bill. The recommended rate changes represent the lowest responsible rate change, given the stormwater and wastewater permit renewals and regulatory requirements, in addition to the ongoing operations and maintenance of the systems, and capital projects.

Combined Local Wastewater and Stormwater FY 22-23 Rates and Forecast - Option 2

Fiscal Year	22-23 <i>Proposed</i>	23-24 <i>Projection</i>	24-25 <i>Projection</i>	25-26 <i>Projection</i>	26-27 <i>Projection</i>
<i>Local Wastewater Services</i>					
Monthly Residential Bill	\$ 25.37	\$ 26.13	\$ 27.04	\$ 27.99	\$ 28.83
Local Rate Adjustment	3.0%	3.0%	3.5%	3.5%	3.0%
Residential Increase	\$ 0.74	\$ 0.76	\$ 0.91	\$ 0.95	\$ 0.84
<i>Stormwater Services</i>					
Monthly Residential Bill	\$ 16.00	\$ 16.40	\$ 16.89	\$ 17.40	\$ 18.01
Local Rate Adjustment	2.5%	2.5%	3.0%	3.0%	3.5%
Residential Increase	\$ 0.38	\$ 0.40	\$ 0.49	\$ 0.51	\$ 0.61
<i>Local Wastewater & Stormwater Combined</i>					
Monthly Residential Bill	\$ 41.37	\$ 42.53	\$ 43.94	\$ 45.39	\$ 46.84
Rate Adjustments Combined	2.8%	2.8%	3.3%	3.3%	3.2%
Residential Rate Increase	\$ 1.12	\$ 1.16	\$ 1.41	\$ 1.45	\$ 1.45

REGIONAL WASTEWATER USER FEES:

At the March 11, 2022 MWMC meeting, staff presented the Preliminary FY 22-23 Regional Wastewater Program Budget and Capital Improvement Program, and the proposed regional wastewater user fee rates. Based on discussions and input provided by the Commission, staff returned to the Commission on April 8, 2022 for a public hearing where the Commission adopted resolutions recommending a 3.5% user fee adjustment in FY 22-23, and the Regional FY 22-23 Budget for implementation by the cities of Eugene and Springfield. The table below shows the adopted FY 22-23 regional wastewater user fees.

MWMC Regional Wastewater FY 22-23 Adopted Rates and Forecast

Fiscal Year	22-23 <i>Adopted</i>	23-24 <i>Projection</i>	24-25 <i>Projection</i>	25-26 <i>Projection</i>	26-27 <i>Projection</i>
Monthly Residential Bill ⁽¹⁾	\$ 28.95	\$ 29.96	\$ 31.01	\$ 32.25	\$ 33.54
Regional Rate Adjustment	3.5%	3.5%	3.5%	4.0%	4.0%
Residential Adjustment	\$ 0.98	\$ 1.01	\$ 1.05	\$ 1.24	\$ 1.29

⁽¹⁾ When applied to 6.684 billing units or 5,000 gallons

With the recommended Option 2 including a local wastewater rate adjustment of 3.0% (\$0.74/month), a proposed stormwater rate adjustment of 2.5% (\$0.38/month), and the MWMC adopted regional wastewater rate adjustment of 3.5% (\$0.98/month), the residential bill (assuming 6.684 units or 5,000 gallons of wastewater generated) would increase by \$2.10 monthly resulting in a combined overall adjustment of 3.1%.

RECOMMENDED ACTION:

Staff has carefully considered the funding requirements associated with the proposed FY 22-23 budget and recommends Council consider a local wastewater rate adjustment of 3.0% and a stormwater rate adjustment of 2.5% (Option 2). If adopted, the proposed adjustments will provide sufficient revenues in FY 22-23 to continue to defer the need for future financing, maintain adequate debt service coverage, meet environmental regulations and permitting requirements, fund necessary capital improvements and system maintenance obligations, and provide quality services to existing customers and new development.

Staff requests Council’s consideration, comments, and direction on the proposed rate changes. The schedule of wastewater and stormwater fees, including the regional MWMC adopted rates for FY 22-23, will be reviewed and considered at the public hearing currently scheduled for May 2, 2022.

AGENDA ITEM SUMMARY

Meeting Date: 5/02/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Matt Stouder/DPW
Staff Phone No: 541-736-1006
Estimated Time: 10 Minutes
Council Goals: Provide Financially Responsible and Innovative Government Services

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: RATIFICATION OF THE METROPOLITAN WASTEWATER MANAGEMENT COMMISSION (MWMC) FY 2022-23 REGIONAL WASTEWATER PROGRAM BUDGET AND CAPITAL IMPROVEMENT PROGRAM (CIP).

ACTION REQUESTED: Adopt a motion ratifying the FY 2022-23 Regional Wastewater Program Budget and Capital Improvement Program (CIP).

ISSUE STATEMENT: As provided for in the MWMC Intergovernmental Agreement (IGA), the City of Springfield, the City of Eugene, and Lane County, as governing bodies, must ratify the annual MWMC Budget and Capital Improvement Program.

ATTACHMENTS: 1. The Regional Wastewater Program Budget and Capital Improvement Program (CIP) for FY 2022-23, as approved by the MWMC

**DISCUSSION/
FINANCIAL
IMPACT:** The FY 2022-23 (FY 22-23) Regional Wastewater (RWP) Budget and CIP document was approved by the MWMC on April 8, 2022. The MWMC convened three work sessions and a public hearing prior to taking action to adopt the FY 22-23 MWMC Budget and CIP. The FY 22-23 Budget funds all operations, administrative services, and capital projects planned for the Regional Wastewater Facilities. The approved operating budget is \$22.33 million, reflecting an increase of 8% (\$1.66 million) in FY 22-23, when compared to the prior year.

The CIP outlines the capital projects planned for the next five years. The FY 22-23 RWP Budget and CIP reflect a continued focus on facilities upgrades, plant performance improvements, new permit requirements, and operations and maintenance activities to provide wastewater treatment for a growing community in a manner that protects the public's health, safety, and the environment.

In accordance with the IGA, the MWMC contracts with the City of Eugene for operations and maintenance services, and with the City of Springfield for administrative services. The budget document (Attachment 1) provides regional program and budget summaries as well as detailed budgets for services provided by Eugene and Springfield. The budget also provides information about how RWP activities are driven by the MWMC's established goals and performance measures. The Commission took a corresponding action to adopt a 3.5% adjustment in regional wastewater user charges in order to fully fund the Budget and CIP. On May 2, 2022, the City Council will hold a public hearing on the FY 22-23 regional rates within the City. Following the public hearing, Council is scheduled to adopt a resolution to set the FY 22-23 regional user fee rates within the City of Springfield.

The FY 22-23 RWP Budget and CIP must be approved by the MWMC and ratified by Lane County, the cities of Eugene and Springfield, and then finally adopted by the MWMC, prior to the beginning of the next fiscal year (July 1, 2022). The Eugene City Council is scheduled to ratify the MWMC Budget and CIP on May 9, 2022, and the Lane County Board of Commissioners is scheduled to ratify the MWMC Budget and CIP on May 10, 2022, with MWMC final budget adoption to occur on June 10, 2022.

Preliminary Regional Wastewater Program Budget and Capital Improvements Program



Metropolitan Wastewater
MANAGEMENT COMMISSION



partners in wastewater management

Fiscal Year 2022-2023

Preliminary

**REGIONAL WASTEWATER PROGRAM BUDGET
and
CAPITAL IMPROVEMENTS PROGRAM
Fiscal Year 2022-23**

The Metropolitan Wastewater Management Commission is scheduled to adopt the Operating Budget and Capital Improvements Program (CIP) for FY 22-23 on April 8, 2022. The Budget and CIP are scheduled to be ratified by the Springfield City Council on May 2, 2022, the Eugene City Council on May 9, 2022, and the Lane County Board of Commissioners on May 10, 2022. The Commission is scheduled to give final ratification of the Budget and CIP on June 10, 2022.

COMMISSION MEMBERS:

Joe Pishioneri, President (Springfield)
Bill Inge, Vice President (Lane County)
Pat Farr (Lane County)
Doug Keeler (Springfield)
Walt Meyer (Eugene)
Peter Ruffier (Eugene)
Jennifer Yeh, (Eugene)

STAFF:

Matthew Stouder, MWMC Executive Officer/General Manager
Dave Breitenstein, Wastewater Director
Nathan Bell, MWMC Finance Officer



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METROPOLITAN WASTEWATER MANAGEMENT COMMISSION
FY 2022-23 BUDGET AND CAPITAL IMPROVEMENTS PROGRAM
for the
REGIONAL WASTEWATER PROGRAM

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PROGRAM OVERVIEW

BUDGET MESSAGE

Members of the Metropolitan Wastewater Management Commission (MWMC) MWMCs' Customers and Partnering Agencies

We are pleased to present the Metropolitan Wastewater Management Commission's budget for fiscal year 2022-23. This budget funds operations, administration, and capital projects planned for the Regional Wastewater Program.

MWMC Background

The Metropolitan Wastewater Management Commission (MWMC) was formed by Eugene, Springfield, and Lane County through an intergovernmental agreement (IGA) in 1977 to provide wastewater collection and treatment services for the Eugene-Springfield metropolitan area. The seven-member Commission, appointed by the City Councils of Eugene and Springfield and the Lane County Board of Commissioners, is responsible for oversight of the Regional Wastewater Program. Since 1983, the Commission has contracted with the cities of Springfield and Eugene to provide all staffing and services necessary to maintain and support the Regional Wastewater Program.

The MWMC has been providing high-quality wastewater services to the metropolitan area for 45 years. The service area for the MWMC consists of approximately 250,000 residents, including 80,800 residential and commercial accounts. The MWMC is committed to clean water, the community's health, the local environment, and to providing high quality services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs.

Budget Development Process

The MWMC's budget development schedule begins in January, with a budget kick-off to review key outcomes the Commission strives to achieve, along with performance indicators identified to measure results of annual workplans over time. February includes a presentation of the draft Capital Improvement Program (CIP) budget and five-year capital plan, and in March the operating budget programs and user fee rate scenarios are presented for discussion and direction.

In April, the Commission holds public hearings on the Preliminary Regional Wastewater Program (RWP) Budget and CIP, and regional wastewater user rates. In May, the RWP budget is provided to the three governing bodies of Springfield, Eugene and Lane County for their review, input and ratification. The RWP Budget and CIP returns to the MWMC in June for final approval, with budget implementation occurring July 1.

Fiscal Year 2022-23 Budget

The Administration and Capital Improvements Program (CIP) components of the MWMC's budget are reflected in the City of Springfield's RWP budget. Operations, maintenance, equipment replacement, major rehabilitation, and major capital outlay components are reflected in the City of Eugene's RWP budget. Both cities' Industrial Pretreatment Programs are managed

locally in compliance with the MWMC Model Ordinance, and are also included in the RWP budget.

Capital Budget - The capital program reflects a continued focus on design and construction of capital improvements planned to ensure that operation of the Regional Wastewater Facilities meets environmental regulations, and that adequate capacity will be provided to meet the needs of a growing service area. The Capital Budget for FY 22-23 is \$34.7 million, and the five-year Capital Plan is currently projected at \$105.1 million.

Operating Budget - The FY 22-23 RWP Operating Budget for personnel services, materials and services and capital outlay expenses is \$22.3 million, reflecting an 8.0% increase when compared to the prior year adopted budget (when compared to the prior year amended budget the increase is 7.4%). The FY 22-23 budget includes Debt Service payments that total \$4.1 million as scheduled repayment of the \$32.7 million for revenue bonds issued in May 2016, and \$50,000 in Clean Water SRF loans to fund the Facilities Plan capital improvements.

Revenues - The RWP is 100% funded by user fees, from customers and industries receiving regional wastewater services. FY 22-23 user fee revenues (including septage service) are projected at \$36.8 million. This level of revenue is based on a recommended 3.5% increase on regional monthly wastewater user fees, and a 5% increase on septage and hauled waste user fees, to meet revenue objectives for planned capital improvements.

Balanced Budget - The RWP achieves and maintains a structurally balanced budget with resources equal or greater than expenditures to set aside a portion of fund balance in reserves.

In summary, the FY 22-23 budget implements the Commission's adopted 2019 Financial Plan policies, funding operations and administration sufficiently to maintain service levels and to meet the environmental performance necessary for compliance with the National Pollutant Discharge Elimination System (NPDES) permit issued jointly to the MWMC and the two cities.

Regulatory Permit Status

Since 2006, the MWMC's NPDES permit has been administratively extended by the Department of Environmental Quality (DEQ) pending future regulatory standards that are anticipated to include more stringent requirements. During this period of regulatory uncertainty the MWMC continues to reduce debt obligations, while planning financially to be positioned for future permit renewal. Currently, the anticipated target for permit issuance is by the end of the third quarter of calendar year 2022.

Respectfully submitted,



Matt Stouder
MWMC Executive Officer

ACRONYMS AND EXPLANATIONS

AMCP – Asset Management Capital Program. The AMCP implements the projects and activities necessary to maintain functionality, lifespan, and effectiveness of the MWMC facility assets on an ongoing basis. The AMCP is administered by the City of Eugene for the MWMC.

BMF – Biosolids Management Facility. The Biosolids Management Facility is an important part of processing wastewater where biosolids generated from the treatment of wastewater are turned into nutrient rich, beneficial organic materials.

CIP – Capital Improvements Program. This program implements projects outlined in the 2004 Facilities Plan and includes projects that improve performance, or expand treatment or hydraulic capacity of existing facilities.

CMOM – Capacity Management and Maintenance Program. The CMOM program addresses wet weather issues such as inflow and infiltration with the goal to eliminate sanitary sewer overflows to the extent possible and safeguard the hydraulic capacity of the regional wastewater treatment facility.

CWSRF – Clean Water State Revolving Fund. The Clean Water State Revolving Fund loan program is a federal program administered by the Oregon DEQ that provides low-cost loans for the planning, design and construction of various water pollution control activities. (DEQ)

EMS – Environmental Management System. An EMS is a framework to determine the environmental impacts of an organization’s business practices and develop strategies to address those impacts.

ESD – Environmental Services Division. The ESD is a division of the City of Springfield’s Development and Public Works Department that promotes and protects the community’s health, safety, and welfare by providing professional leadership in the protection of the local environment, responsive customer service, and effective administration for the Regional Wastewater Program.

IGA – Intergovernmental Agreement. Pursuant to ORS 190.010, ORS 190.080, and ORS 190.085, the IGA is an agreement between the cities of Eugene and Springfield and Lane County that created the MWMC as an entity with the authority to provide resources and support as defined in the IGA for the Regional Wastewater Program.

MWMC – Metropolitan Wastewater Management Commission. The MWMC is the Commission responsible for the oversight of the Regional Wastewater Program. In this role, the MWMC protects the health and safety of our local environment by providing high-quality management of wastewater conveyance and treatment to the Eugene-Springfield community. The Commission is responsible for the oversight of the Regional Wastewater Program.

NPDES – National Pollutant Discharge Elimination System permit. The NPDES permit program is administered by the Oregon Department of Environmental Quality (DEQ) in fulfillment of federal Clean Water Act requirements. The NPDES permit includes planning and technology requirements as well as numeric limits on effluent water quality.

RNG – Renewal Natural Gas Upgrades consisting of biogas purification facilities at the treatment plant and connection to the Northwest Natural utility grid. Together, the system allows the MWMC to sell the upgraded gas (RNG) as a renewable fuel through offtake agreements.

RWP – Regional Wastewater Program. Under the oversight of the MWMC, the purpose of the RWP is to protect public health and safety and the environment by providing high quality wastewater management services to the Eugene-Springfield metropolitan area. The MWMC and the regional partners are committed to providing these services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs while meeting customer service expectations.

SDC – System Development Charge. SDCs are charges imposed on development so that government may recover the capital needed to provide sufficient capacity in infrastructure systems to accommodate the development.

SRF – Clean Water State Revolving Fund. The Clean Water State Revolving Fund loan program is a federal program administered by the Oregon DEQ that provides low-cost loans for the planning, design and construction of various water pollution control activities. (DEQ)

SSO – Sanitary Sewer Overflows. Discharges of raw sewage.

TMDL – Total Maximum Daily Load. The federal Clean Water Act defines *Total Maximum Daily Load* as the maximum amount of any pollutant that can be safely assimilated by a waterway in one day without significant degradation of water quality.

TSS – Total Suspended Solids. Organic and inorganic materials that are suspended in water.

WPCF – Regional Water Pollution Control Facility. The WPCF is a state-of-the-art facility providing treatment of the wastewater coming from the Eugene/Springfield metropolitan area. The WPCF is located on River Avenue in Eugene. The treatment plant and 49 pump stations distributed across Eugene and Springfield operate 24 hours a day, 7 days a week, 365 days a year to collect and treat wastewater from homes, businesses and industries before returning the cleaned water, or effluent, to the Willamette River. Through advanced technology and processes, the facility cleans, on average, up to 30 million gallons of wastewater every day.

WWFMP – Wet Weather Flow Management Plan. This plan evaluated and determined the most cost-effective combination of collection system and treatment facility upgrades needed to manage excessive wet weather wastewater flows in the Eugene/Springfield metropolitan area.

REGIONAL WASTEWATER PROGRAM OVERVIEW

The Metropolitan Wastewater Management Commission

The Metropolitan Wastewater Management Commission (MWMC) was formed by Eugene, Springfield, and Lane County through an intergovernmental agreement (IGA) in 1977 to provide wastewater collection and treatment services for the Eugene-Springfield metropolitan area. The seven-member Commission is composed of members appointed by the City Councils of Eugene (3 representatives), Springfield (2 representatives) and the Lane County Board of Commissioners (2 representatives). Since its inception, the Commission, in accordance with the IGA, has been responsible for oversight of the Regional Wastewater Program (RWP) including: construction, maintenance, and operation of the regional sewerage facilities; adoption of financing plans; adoption of budgets, user fees and connection fees; adoption of minimum standards for industrial pretreatment and local sewage collection systems; and recommendations for the expansion of regional facilities to meet future community growth. Staffing and services have been provided in various ways over the 45 years of MWMC's existence. Since 1983, the Commission has contracted with the Cities of Springfield and Eugene for all staffing and services necessary to maintain and support the RWP. Lane County's partnership has involved participation on the Commission and support for customers that are served by the MWMC in the Santa Clara unincorporated area.

Regional Wastewater Program Purpose and Key Outcomes

The purpose of the RWP is to protect public health and safety and the environment by providing high quality wastewater management services to the Eugene-Springfield metropolitan area. The MWMC and the regional partners are committed to providing these services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs while meeting customer service expectations. Since the mid-1990s, the Commission and RWP staff have worked together to identify key outcome areas within which to focus annual work plan and budget priorities. The FY 22-23 RWP work plans and budget reflect a focus on the following key outcomes or goals. In carrying out the daily activities of managing the regional wastewater system, we will strive to achieve and maintain:

- 1. Achieve and Maintain high environmental standards;*
- 2. Fiscal management that is effective and efficient;*
- 3. A successful intergovernmental partnership;*
- 4. Maximum reliability and useful life of regional assets and infrastructure;*
- 5. Public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives of maintaining water quality and a sustainable environment.*

The Commission believes that these outcomes, if achieved in the long term, will demonstrate success of the RWP in carrying out its purpose. In order to help determine whether we are successful, indicators of performance and targets have been identified for each key outcome. Tracking performance relative to identified targets over time assists in managing the RWP to achieve desired results. The following indicators and performance targets provide an important framework for the development of the FY 22-23 RWP Operating Budget, Capital Improvements Program, and associated work plans.

Outcome 1: Achieve and maintain high environmental standards.

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
<ul style="list-style-type: none"> Average removal efficiency of carbonaceous biochemical oxygen demand (CBOD) and total suspended solids (TSS) (permit limit 85%) 	97%	97%	95%
<ul style="list-style-type: none"> High quality biosolids (pollutant concentrations less than 50% of EPA exceptional quality criteria) 	Arsenic 21% Cadmium 12% Copper 29% Lead 8% Mercury 5% Nickel 5% Selenium 12% Zinc 29%	Arsenic 25% Cadmium 15% Copper 30% Lead 10% Mercury 10% Nickel 10% Selenium 15% Zinc 30%	Arsenic <50% Cadmium <50% Copper <50% Lead <50% Mercury <50% Nickel <50% Selenium <50% Zinc <50%
<ul style="list-style-type: none"> ISO14001 Environmental Management System – Continual Improvement of Environmental Performance 	All objectives met and no major nonconformities	All objectives met and no major nonconformities	Reduce waste gas flaring; Produce gas for use as renewable fuel; Install new laboratory information management system
<ul style="list-style-type: none"> NPDES Permit Renewal 	---	Complete toxics monitoring; Coordinate renewal process with DEQ	Prepare updates to plans (Groundwater, Biosolids, Recycled Water, WQ Trading, etc.); Begin implementation of new permit requirements
<ul style="list-style-type: none"> Climate Action Planning 	---	---	Complete FY 2019-20 Greenhouse Gas Emissions Inventory; Explore development of a Climate Action Statement/Policy

Outcome 1: Achieve and maintain high environmental standards (continued)

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
• Urban Waters & Wildlife Partnership	---	Explore Partnership	Identify MWMC opportunities
• Resource Recovery	---	Construct RNG system; Begin design of UV Disinfection for Recycled Water	Full scale RNG production; Construction of Class A Disinfection Facilities

Outcome 2: Achieve and maintain fiscal management that is effective and efficient.

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
• Annual budget and rates align with the MWMC Financial Plan	Policies met	Policies met	Policies met
• Annual audited financial statements	Clean audit	Clean audit	Clean audit
• Uninsured bond rating	AA	AA	AA
• Reserves funded at target levels	Yes	Yes	Yes
• Maintain Sound Financial Practices per the MWMC Financial Plan	Yes	Yes	Yes
• Ensure rates and rate changes are planned, moderate and incremental to avoid rate hikes	---	3.5%	3.5%
• Debt-to-Equity Ratio <i>(Total debt divided by total equity)</i>	---	10.0	0.3

Outcome 3: *Achieve and maintain a successful intergovernmental partnership.*

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
<ul style="list-style-type: none"> NPDES Permit Renewal 	Prepared plans and associated work with permit application	Submit required information; Review applicant draft; Permit issued	Permit implementation
<ul style="list-style-type: none"> Implement and adopt revised local limits and an updated MWMC pretreatment model ordinance within the pretreatment program 	Conducted system sampling; revised limits and updated model ordinance to reflect current CFRs	Preliminary approval from DEQ; Initiate public notice	Adopt local ordinances in Eugene and Springfield; Begin implementation
<ul style="list-style-type: none"> Partnership Assessment Tool 	---	Scope assessment tool options; present concepts/options for Commission consideration	Begin implementation and data collection
<ul style="list-style-type: none"> Interagency coordination regarding Capacity Management Operations and Maintenance (CMOM) Program 	CMOM Program updated and presented to the Commission	Quarterly meetings between Eugene and Springfield; Annual update to the Commission	Quarterly meetings between Eugene and Springfield; Annual update to the Commission
<ul style="list-style-type: none"> Community presentations regarding MWMC partnership, services and outcomes delivered jointly 	2 community presentations delivered by staff to groups in the service area	4 community presentations delivered by staff to groups in the service area	4 community presentations delivered by staff to groups in the service area

Outcome 4: Maximize reliability and useful life of regional assets and infrastructure.

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
<ul style="list-style-type: none"> Preventive maintenance completed on time (best practices benchmark is 90%) 	92%	94%	90%
<ul style="list-style-type: none"> Preventive maintenance to corrective maintenance ratio (benchmark 4:1-6:1) 	5.6:1	5:1	5:1
<ul style="list-style-type: none"> Emergency maintenance required (best practices benchmark is less than 2% of labor hours) 	2%	1%	<2%
<ul style="list-style-type: none"> Asset management (AM) processes and practices review and development 	Annual update to AM plan completed	---	Bi-Annual update to AM plan; Improve methodology to determine asset remaining life
<ul style="list-style-type: none"> MWMC Resiliency Plan 	Presented final plan to the Commission	Plan implementation	Continue plan implementation Pump Station to conveyance pipe transition kits
<ul style="list-style-type: none"> Strategic Projects 	Complete buried pipe condition assessment	Develop assessment plan	Begin assessment of highest priority pipes

Outcome 5: *Achieve and maintain public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives of maintaining water quality and a sustainable environment.*

Indicators:	Performance:		
	FY 20-21 Actual	FY 21-22 Estimated Actual	FY 22-23 Target
• Communications Plan	Implemented 2021 Communications Plan	Continue implementation of 2021 Plan	Update 2021 Plan as needed based on market trends
• Promote MWMC social media channels and website	Grew Facebook followers to 639, Twitter to 174 and Instagram to 246; no website analytics available	Implement strategies to grow Facebook followers to 1,000, Twitter to 250 and Instagram to 650; no website analytic targets set	Implement strategies to grow Facebook followers to 1,200, Twitter to 300 and Instagram to 850 and website visitors to 5,000 with 14,000 pageviews and a bounce rate of 70%
• Create and distribute MWMC e-newsletters	Distributed monthly and increased distribution to 237 subscribers; no analytic targets set	Distribute monthly and increase distribution to 550 subscribers; no analytic targets set	Distribute monthly and increase distribution to 700 subscribers with an open rate of 38% and a click-through rate of 10%
• Pollution prevention campaigns	2 campaigns, 3 sponsorships; reaching ≤40% of residents in the service area due to COVID-19	2 campaigns, 4 sponsorships; reaching 40% of residents in the service area	2 campaigns, 4 sponsorships; reaching 40% of residents in the service area
• Provide tours of the MWMC Facilities	Due to COVID-19, only one tour provided; recorded and shared via 4J Library	Due to COVID-19, limited number of tours provided	Provide tours for greater than 1,000 people
• Clean Water University	Reached ≤25% of 5 th Graders in the service area due to COVID-19	Reach 25% of 5 th Graders in the service area	Reach >25% of 5 th Graders in the service area

Roles and Responsibilities

In order to effectively oversee and manage the RWP, the partner agencies provide all staffing and services to the MWMC. The following sections describe the roles and responsibilities of each of the partner agencies, and how intergovernmental coordination occurs on behalf of the Commission.

City of Eugene

The City of Eugene supports the RWP through representation on the MWMC, provision of operation and maintenance services, and active participation on interagency project teams and committees. Three of the seven MWMC members represent Eugene – two citizens and one City Councilor. Pursuant to the Intergovernmental Agreement (IGA), the Eugene Wastewater Division operates and maintains the Regional Water Pollution Control Facility (WPCF), the Biosolids Management Facility (BMF) and associated residuals and reclaimed water activities, along with regional wastewater pumping stations and transmission sewers. In support of the RWP, the Division also provides technical services for wastewater treatment; management of equipment replacement and infrastructure rehabilitation; biosolids treatment and recycling; industrial source control (in conjunction with Springfield staff); and regional laboratory services for wastewater and water quality analyses. These services are provided under contract with the MWMC through the regional funding of 79.36 full-time equivalent (FTE) employees.

City of Springfield

The City of Springfield supports the RWP through representation on the MWMC, provision of MWMC administration services, and active coordination of and participation on interagency project teams and committees. Two MWMC members represent Springfield – one citizen and one City Councilor. Pursuant to the IGA, the Springfield Development and Public Works Department, provides staff to serve as the MWMC Executive Officer / General Manager, respectively. The Environmental Services Division and Finance Department staff provide ongoing staff support to the Commission and administration of the RWP in the following areas: legal and risk management services; financial management and accounting; coordination and management of public policy; regulatory and permit compliance issues; coordination between the Commission and the governing bodies; long-range capital project planning, design, and construction management; coordination of public information, education, and citizen involvement programs; and coordination and development of regional budgets, rate proposals, and revenue projections. Springfield staff also provides local implementation of the Industrial Pretreatment Program, as well as billing coordination and customer service. These services are provided under contract with the MWMC through the regional funding of 16.85 FTE of Development and Public Works Department staff and .88 FTE of Finance Department staff, and .03 FTE of City Manager's Office for a total 17.76 FTE as reflected in the FY 22-23 Budget.

Lane County

Lane County supports the RWP through representation on the MWMC, including two MWMC members that represent Lane County – one citizen and one County Commissioner. Lane County's partnership initially included providing support to manage the proceeds and repayment of the RWP general obligation bonds to finance the local share of the RWP facilities construction. These bonds were paid in full in 2002. The County, while not presently providing sewerage, has the authority under its charter to do so. The Urban Growth Boundary includes the two Cities (urban lands) and certain unincorporated areas surrounding the Cities which lies

entirely within the County. Federal funding policy requires sewage treatment and disposal within the Urban Growth Boundary to be provided on a unified, metropolitan basis.

Interagency Coordination

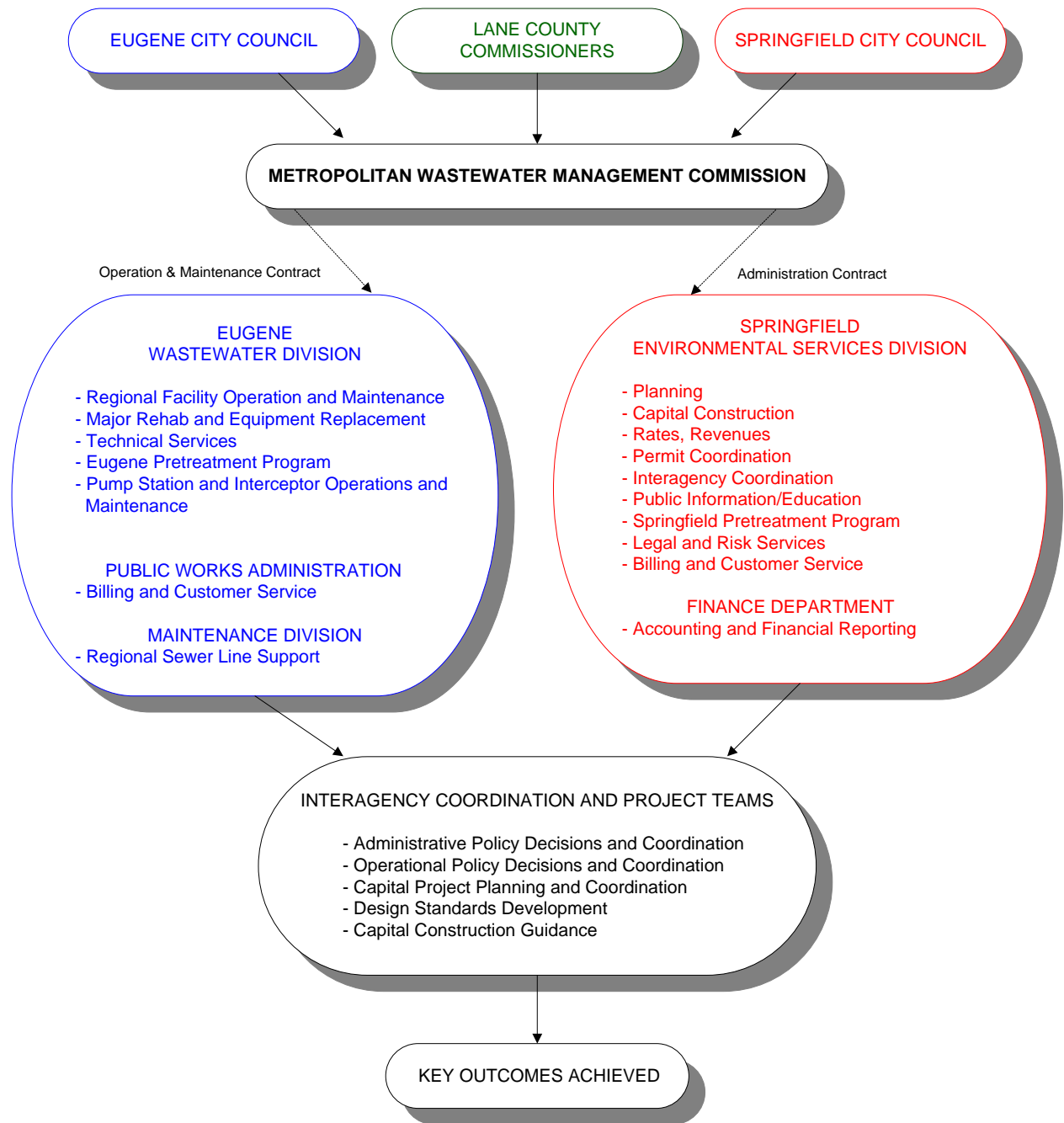
The effectiveness of the MWMC and the RWP depends on extensive coordination, especially between Springfield and Eugene staff, who provide ongoing program support. This coordination occurs in several ways. The Springfield MWMC Executive Officer / MWMC General Manager, together with the Eugene Wastewater Division Director coordinate regularly to ensure adequate communication and consistent implementation of policies and practices as appropriate. The Eugene and Springfield Industrial Pretreatment Program supervisors and staff meet regularly to ensure consistent implementation of the Model Industrial Pretreatment Ordinance. In addition, interagency project teams provide input on and coordination of ongoing MWMC administration issues and ad hoc project needs.

Exhibit 1 on the following page reflects the interagency coordination structure supporting the RWP. Special project teams are typically formed to manage large projects such as design and construction of new facilities. These interagency staff teams are formulated to provide appropriate expertise, operational knowledge, project management, and intergovernmental representation.

Relationship to Eugene and Springfield Local Sewer Programs

The RWP addresses only part of the overall wastewater collection and treatment facilities that serve the Eugene-Springfield metropolitan area. The Cities of Eugene and Springfield both maintain sewer programs that provide for construction and maintenance of local collection systems and pump stations, which discharge to the regional system. Sewer user fees collected by the two Cities include both local and RWP rate components.

EXHIBIT 1
REGIONAL WASTEWATER PROGRAM
INTERAGENCY COORDINATION STRUCTURE



BUDGET SUMMARY

**REGIONAL WASTEWATER PROGRAM
FY 22-23 BUDGET**

The MWMC’s RWP Operating Budget provides the Commission and governing bodies with an integrated view of the RWP elements. Exhibit 2 provides a summary of the overall Operating Budget. Separate Springfield and Eugene agency budgets and staffing also are presented within this budget document. Major program areas supported by Springfield and Eugene are described in the pages that follow and are summarized in Exhibit 3 on page 16. Finally, Exhibit 4 on page 17 combines revenues, expenditures, and reserves to illustrate how funding for all aspects of the RWP is provided. It should also be noted that the “Amended Budget FY 21-22” column in all budget tables represents the updated FY 21-22 RWP budget as of February 8, 2022, which reconciled actual beginning balances at July 1, 2021, and approved budget transfers and supplemental requests.

EXHIBIT 2

REGIONAL OPERATING BUDGET SUMMARY
INCLUDING RESERVE CONTRIBUTIONS

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	<i>PROPOSED</i> BUDGET FY 22-23	CHANGE (1) INCR/(DECR)	
Full-Time Equivalent Staffing Level	97.12	97.12	97.12	0.00	0.0%
Personnel Services (2)	\$12,411,719	\$12,411,719	\$12,934,896	\$523,177	4.2%
Materials & Services (2)	8,123,295	8,174,303	9,039,999	916,704	11.3%
Capital Outlay (2, 3)	138,000	208,000	359,000	221,000	160.1%
Equip Replacement Contributions (4)	750,000	750,000	1,600,000	850,000	113.3%
Capital Contributions (5)	9,800,000	9,800,000	13,000,000	3,200,000	32.7%
Debt Service (6)	4,110,375	4,110,375	4,108,550	(1,825)	0.0%
Working Capital Reserve (7)	900,000	900,000	900,000	-	0%
Rate Stability Reserve (8)	2,000,000	2,000,000	2,000,000	-	0%
Insurance Reserve (9)	1,500,000	1,500,000	1,500,000	-	0%
Operating Reserve (10)	4,215,639	6,546,665	4,340,279	124,640	3.0%
Rate Stabilization Reserve (11)	2,000,000	2,000,000	2,000,000	-	0%
SRF Loan Reserve (12)	186,616	186,616	50,000	(136,616)	-73%
Budget Summary	\$46,135,644	\$48,587,678	\$51,832,724	\$5,697,080	12.3%

Notes:

1. The Change column and Percent Change column compare the Proposed FY 22-23 Budget with the originally Adopted FY 21-22 Budget column.
2. Personnel Services, Materials and Services, and Capital Outlay budget amounts represent combined Springfield and Eugene Operating Budgets that support the RWP.
3. Capital Outlay does not include CIP, Equipment Replacement, Major Capital Outlay, or Major Rehabilitation, which are capital programs.

4. The Equipment Replacement Contribution is a budgeted transfer of operating revenues to reserves for scheduled future equipment replacement, including all fleet equipment and other equipment, with an original cost over \$10,000, and with a useful life expectancy greater than one year. See table on page 22 for year-end balance.
5. The Capital Reserve Contribution is a budgeted transfer of operating revenues to reserves. Capital is passed through the Springfield Administration Budget. See table on page 22 for year-end balance.
6. The Debt Service line item is the sum of annual interest and principal payments on the Revenue Bonds and Clean Water State Revolving Fund (SRF) loans made from the Operating Budget (derived from user rates). The total amount of Debt Service budgeted in FY 22-23 is \$4,108,550.
7. The Working Capital Reserve acts as a revolving account which is drawn down and replenished on a monthly basis to fund Eugene's and Springfield's cash flow needs.
8. The Rate Stability Reserve is used to set aside revenues available at year-end after the budgeted Operating Reserve target is met. Internal policy has established a level of \$2 million for the Rate Stability Reserve. See Exhibit 5 on page 20 for year-end balance.
9. The Insurance Reserve was established to set aside funds to cover the insurance deductible amount for property and liability insurance coverage, for losses per occurrence. The Insurance Reserve is set at \$1.5 million.
10. The Operating Reserve is used to account for the accumulated operating revenues net of operations expenditures. The Commission's adopted policy provides minimum guidelines to establish the Operating Reserve balance at approximately two months operating expenses of the adopted Operating Budget. The Operating Reserve provides for contingency funds in the event that unanticipated expenses or revenue shortfalls occur during the budget year.
11. The Rate Stabilization Reserve contains funds to be used at any point in the future when net revenues are insufficient to meet the bond covenant coverage requirements. The Commission shall maintain the Rate Stabilization Reserve account as long as bonds are outstanding. This reserve is set at \$2 million.
12. The Clean Water SRF loan reserve is budgeted as required per loan agreements.

EXHIBIT 3

REGIONAL WASTEWATER PROGRAM OPERATING BUDGET
LINE ITEM SUMMARY BY PROGRAM AREA

	ACTUALS FY 20-21	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE INCR/(DECR)	
SPRINGFIELD						
MWMC ADMINISTRATION						
Personnel Services	\$1,450,583	\$1,751,851	\$1,751,851	\$1,924,885	\$173,034	9.9%
Materials & Services	1,785,568	2,190,714	2,241,722	2,455,723	265,009	12.1%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$3,236,151	\$3,942,565	\$3,993,573	\$4,380,608	\$438,043	11.1%
INDUSTRIAL PRETREATMENT						
Personnel Services	\$384,002	\$402,464	\$402,464	\$409,019	\$6,555	1.6%
Materials & Services	106,079	149,995	149,995	157,674	7,679	5.1%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$490,082	\$552,459	\$552,459	\$566,693	\$14,234	2.6%
ACCOUNTING						
Personnel Services	\$127,161	\$137,211	\$137,211	\$140,991	\$3,780	2.8%
Materials & Services	31,542	44,658	44,658	46,602	1,944	4.4%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$158,703	\$181,869	\$181,869	\$187,593	\$5,724	3.1%
TOTAL SPRINGFIELD						
Personnel Services	\$1,961,746	\$2,291,526	\$2,291,526	\$2,474,895	\$183,369	8.0%
Materials & Services	1,923,189	2,385,367	2,436,375	2,659,999	274,632	11.5%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$3,884,935	\$4,676,893	\$4,727,901	\$5,134,894	\$458,000	9.8%
EUGENE						
ADMINISTRATIVE SERVICES						
Personnel Services	\$1,689,977	\$2,508,683	\$2,508,683	\$2,582,416	\$73,733	2.9%
Materials & Services	388,131	994,978	994,978	1,014,868	19,890	2.0%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$2,078,108	\$3,503,661	\$3,503,661	\$3,597,284	\$93,623	2.7%
BIOSOLIDS MANAGEMENT						
Personnel Services	\$1,403,312	\$1,460,913	\$1,460,913	\$1,507,844	\$46,931	3.2%
Materials & Services	971,998	936,089	936,089	968,966	32,877	3.5%
Capital Outlay	3,485	-	-	-	-	--
TOTAL	\$2,378,795	\$2,397,002	\$2,397,002	\$2,476,810	\$79,808	3.3%
INDUSTRIAL SOURCE CONTROL						
Personnel Services	\$549,916	\$677,414	\$677,414	\$696,580	\$19,166	2.8%
Materials & Services	85,274	213,477	213,477	220,444	6,967	3.3%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$635,190	\$890,891	\$890,891	\$917,024	\$26,133	2.9%
TREATMENT PLANT						
Personnel Services	\$4,768,093	\$5,035,102	\$5,035,102	\$5,222,767	\$187,665	3.7%
Materials & Services	2,973,317	3,265,962	3,265,962	3,825,502	559,540	17.1%
Capital Outlay	10,510	138,000	208,000	359,000	221,000	160.1%
TOTAL	\$7,751,920	\$8,439,064	\$8,509,064	\$9,407,269	\$968,205	11.5%
REGIONAL PUMP STATIONS						
Personnel Services	\$193,945	\$194,052	\$194,052	\$201,271	\$7,219	3.7%
Materials & Services	255,049	270,193	270,193	290,496	20,303	7.5%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$448,994	\$464,245	\$464,245	\$491,767	\$27,522	5.9%
BENEFICIAL REUSE SITE						
Personnel Services	\$235,411	\$244,028	\$244,028	\$249,122	\$5,094	2.1%
Materials & Services	62,487	57,228	57,228	59,724	2,496	4.4%
Capital Outlay	-	-	-	-	-	--
TOTAL	\$297,898	\$301,256	\$301,256	\$308,846	\$7,590	2.5%
TOTAL EUGENE						
Personnel Services	\$8,840,654	\$10,120,192	\$10,120,192	\$10,460,000	\$339,808	3.4%
Materials & Services	4,736,256	5,737,927	5,737,927	6,380,000	642,073	11.2%
Capital Outlay	13,995	138,000	208,000	359,000	221,000	160.1%
TOTAL	\$13,590,905	\$15,996,119	\$16,066,119	\$17,199,000	\$1,202,881	7.5%
TOTAL REGIONAL BUDGET	\$17,475,840	\$20,673,012	\$20,794,020	\$22,333,894	\$1,660,882	8.0%

NOTE: Does not include Major Rehabilitation, Equipment Replacement or Major Capital Outlay

EXHIBIT 4

REGIONAL WASTEWATER PROGRAM
BUDGET SUMMARY AND COMPARISON

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE* INC(DEC)
<u>OPERATING BUDGET</u>				
Administration	\$4,676,893	\$4,727,901	\$5,134,894	\$458,001
Operations	15,996,119	16,066,119	17,169,000	1,172,881
Capital Contribution & Transfers	9,800,000	9,800,000	13,000,000	3,200,000
Equipment Replacement - Contribution	750,000	750,000	1,600,000	850,000
Operating & Revenue Bond Reserve	10,802,255	13,133,281	10,798,173	(4,082)
Debt Service	4,110,374	4,110,374	4,108,550	(1,824)
Total Operating Budget	\$46,135,641	\$48,587,675	\$51,810,617	\$5,674,976
<u>Funding:</u>				
Beginning Balance	\$8,732,548	\$11,184,582	\$12,060,746	3,328,198
User Fees	36,050,000	36,050,000	36,875,000	825,000
Other	1,353,093	1,353,093	2,874,871	1,521,778
Total Operating Budget Funding	\$46,135,641	\$48,587,675	\$51,810,617	\$5,674,976
<u>CAPITAL PROGRAM BUDGET</u>				
Administration Building Improvements	7,230,000	7,582,063	6,500,000	(730,000)
Class A Disinfection Facilities	6,770,000	7,644,162	5,300,000	(1,470,000)
Glenwood Pump Station Upgrades	1,800,000	2,048,574	1,800,000	0
Poplar Harvest Mgmt. Services	660,000	788,267	330,000	(330,000)
Comprehensive Facility Plan Update	600,000	638,558	2,040,000	1,440,000
Resiliency Follow-Up	490,000	695,908	3,300,000	2,810,000
Recycled Water Demonstration Project	340,000	365,242	330,000	(10,000)
Aeration Basin Upgrades (2023 to 2026)	-	-	5,000,000	5,000,000
Tertiary Filtration - Phase 2	-	-	3,000,000	3,000,000
Water Quality Trading Program	-	-	3,000,000	3,000,000
WCPF Stormwater Infrastructure	-	-	300,000	300,000
Aeration Basin Improvements - Phase 2	440,000	1,286,692	-	0
Facility Plan Engineering Services	-	80,892	-	0
RNG Upgrade Facilities	2,000,000	2,146,263	-	0
Riparian Shade Credit Program	1,370,000	1,440,102	-	0
<u>Asset Management:</u>				
Equipment Replacement Purchases	963,000	2,348,700	\$3,220,000	2,257,000
Major Rehab	165,000	419,300	662,000	497,000
Major Capital Outlay	-	370,000	-	0
Total Capital Projects	\$22,828,000	\$27,854,723	\$34,782,000	\$11,954,000
<u>Funding:</u>				
Equipment Replacement	\$963,000	\$2,348,700	\$3,220,000	2,257,000
SDC Improvement Reserve	4,414,570	5,321,745	3,916,270	(498,300)
Capital Reserve	17,450,430	20,184,278	27,645,730	10,195,300
Total Capital Projects Funding	\$22,828,000	\$27,854,723	\$34,782,000	\$11,954,000

Note: * The Change compares the *proposed* FY 22-23 budget to the originally adopted FY 21-22 budget column.

BUDGET AND RATE HISTORY

The graphs on page 19 show the regional residential wastewater service costs over a 5-year period, and a 5-year Regional Operating Budget Comparison. Because the Equipment Replacement, Major Infrastructure Rehabilitation and Major Capital Outlay programs are managed in the Eugene Operating Budget, based on the size, type and budget amount of the project these programs are incorporated into either the 5-year Regional Operating Budget Comparison graph or the 5-Year Capital Programs graph on page 20. The Regional Wastewater Capital Improvement Programs graph on page 20 shows the expenditures over the recent five years in the MWMC's Capital Program and including Asset Management projects. A list of capital projects is located in Exhibit 13 on page 51.

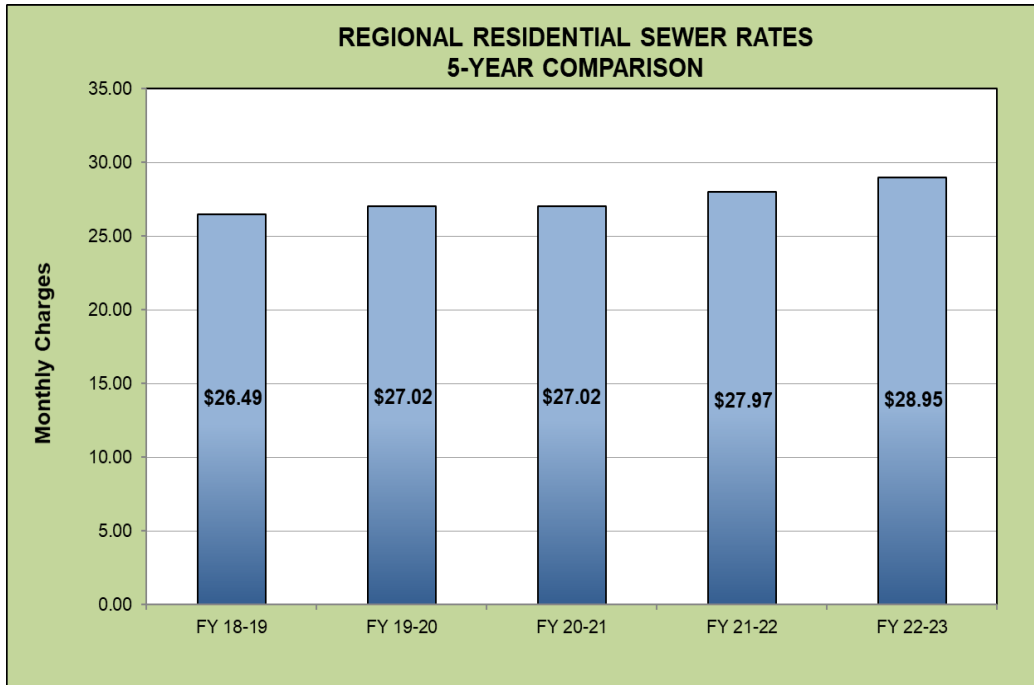
As shown on the Regional Residential Sewer Rate graph on page 19, regional sewer user charges have incrementally increased to meet the revenue requirements necessary to fund facility improvements as identified in the 2004 MWMC Facilities Plan. This Plan and the subsequent 2014 Partial Facilities Plan Update demonstrated the need for a significant capital investment in new and expanded facilities to meet environmental performance requirements and capacity to serve the community through 2025. Although a portion of these capital improvements can be funded through system development charges (SDCs), much of the funding for approximately \$196 million in capital improvements over the 20-year period will come from user charges. This has become a major driver of the MWMC's need to increase sewer user rates, moderately and incrementally on an annual basis.

The National Association of Clean Water Agency (NACWA) publishes an annual Cost of Clean Water Index, which indicates the national average charges for wastewater services. The index includes average wastewater charges by Environmental Protection Agency (EPA) regions. Of the EPA regions, Region 10, which includes Oregon, Washington and Idaho, reflects the second highest wastewater expenses nationwide, based on demographics, geography, regulatory requirements, and a range of other issues. Within Region 10, the annual change in the cost of clean water index reflected a 4.2% average increase over the past 3 years.

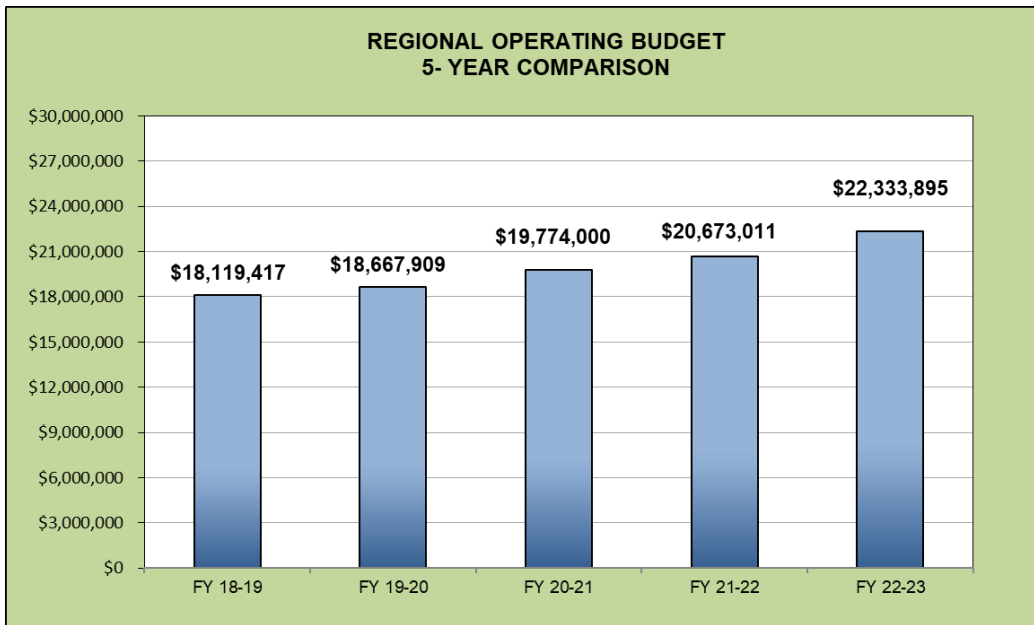
In FY 21-22 the MWMC regional user rates increased by 3.5% over the prior year rates. The FY 22-23 Budget is based on a 3.5% user rate increase over the FY 21-22 rates. This increase will provide for Operations, Administration, Capital programs, reserves and debt service, continuing to meet capital and operating requirements and supporting the Commission's Financial Plan policies, as well as financially positioning for future investments in capital assets.

The following chart displays the regional component of a residential monthly bill when applying the base and flow rates to 5,000 gallons of wastewater treated, which includes a 3.5% or \$0.98 increase effective July 1, 2022.

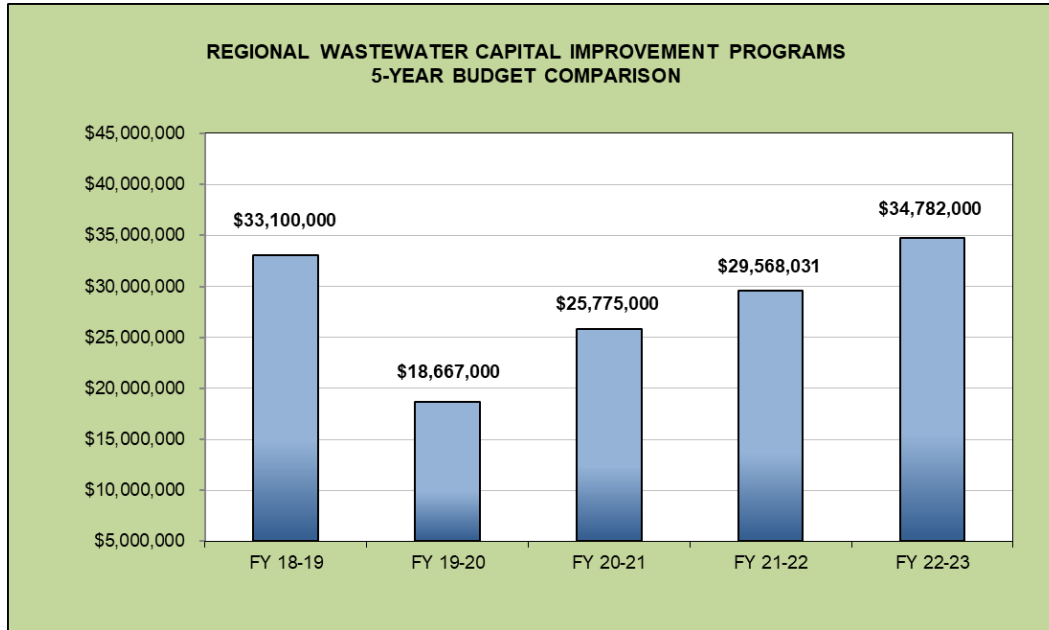
The graph below displays the regional component of a residential monthly bill, when applied to 5,000 gallons of wastewater treated for the recent 5-year period.



The graph below displays the Regional Operating Budget amounts for the recent 5-year period.



The graph below displays the Regional Wastewater Capital Improvement Program Budget amounts for the recent 5-year period.



RESERVE FUNDS

REGIONAL WASTEWATER PROGRAM RESERVES

The RWP maintains reserve funds for the dedicated purpose to sustain stable rates while fully funding operating and capital needs. Commission policies and guidance, which direct the amount of reserves appropriated on an annual basis, are found in the MWMC Financial Plan. Further details on the FY 22-23 reserves are provided below.

OPERATING RESERVES

The MWMC Operating Budget includes six separate reserves: the Working Capital Reserve, Rate Stability Reserve, Rate Stabilization Reserve, State Revolving Fund (SRF) Reserve, Insurance Reserve and the Operating Reserve. Revenues are appropriated across the reserves in accordance with Commission policy and expenditure needs. Each reserve is explained in detail below.

WORKING CAPITAL RESERVE

The Working Capital Reserve acts as a revolving account that is drawn down and replenished on a monthly basis to provide funds for payment of Springfield Administration and Eugene Operations costs prior to the receipt of user fees from the Springfield Utility Board and Eugene Water and Electric Board. The Working Capital Reserve is set at \$900,000 for FY 22-23, \$200,000 of which is dedicated to Administration and \$700,000 is dedicated to Operations.

RATE STABILITY RESERVE

The Rate Stability Reserve was established to implement the Commission's objective of maintaining stable rates. It is intended to hold revenues in excess of the current year's operating and capital requirements for use in future years, in order to avoid potential rate spikes. The amount budgeted on an annual basis has been set at \$2 million, with any additional net revenues being transferred to the capital reserve for future projects.

RATE STABILIZATION RESERVE

The Rate Stabilization Reserve contains funds to be used at any point in the future when net revenues are insufficient to meet the bond covenant coverage requirement. The Commission shall maintain the Rate Stabilization account as long as bonds are outstanding. In FY 22-23 no additional contribution to this reserve is budgeted and the balance at June 30, 2022, will remain at \$2 million.

CLEAN WATER STATE REVOLVING FUND (SRF) RESERVE

The Clean Water SRF Reserve was established to meet revenue coverage requirements for SRF loans. The SRF Reserve is set at \$50,000 for FY 22-23.

INSURANCE RESERVE

The Insurance Reserve was established to set aside funds to cover the insurance deductible amount for property and liability insurance coverage, for losses per occurrence. The Insurance Reserve is set at \$1.5 million for FY 22-23.

OPERATING RESERVE

The Operating Reserve is used to account for accumulated operating revenues net of operating expenditures (including other reserves). The Commission's adopted policy provides guidelines to establish the Operating Reserve at a minimum target of two months expenses. For FY 22-23, the Operating Reserve is budgeted at \$4,340,279, which includes approximately two months of total Personnel Services, Materials and Services, and Capital Outlay in accordance with Commission policy.

EXHIBIT 5

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23
OPERATING RESERVES			
Beginning Balance	\$8,732,548	\$11,184,582	\$12,052,852
User Fee Revenue	35,400,000	35,400,000	36,200,000
Septage Revenue	650,000	650,000	675,000
Other Revenue	1,250,921	1,250,921	1,256,127
Interest	75,000	75,000	80,000
RNG Revenue	0	0	1,500,000
Transfer from Reimbursement SDCs	23,172	23,172	24,744
Personnel Services	(12,411,718)	(12,411,718)	(12,904,895)
Materials & Services	(8,119,293)	(8,170,301)	(9,025,999)
Capital Outlay	(138,000)	(208,000)	(359,000)
Interfund Transfers	(10,550,000)	(10,550,000)	(14,600,000)
Debt Service - SRF Loan	(104,250)	(104,250)	(103,750)
Debt Service - 2016 Revenue Bond	(4,006,125)	(4,006,125)	(4,004,800)
Working Capital	(900,000)	(900,000)	(900,000)
Insurance Reserve	(1,500,000)	(1,500,000)	(1,500,000)
SRF Loan Reserve	(186,616)	(186,616)	(50,000)
Rate Stability Reserve	(2,000,000)	(2,000,000)	(2,000,000)
Rate Stabilization Reserve	(2,000,000)	(2,000,000)	(2,000,000)
Operating Reserve	\$4,215,639	\$6,546,665	\$4,340,279

CAPITAL RESERVES

The MWMC Capital Budget includes four reserves: the Equipment Replacement Reserve, SDC Reimbursement Reserves, SDC Improvement Reserves, and the Capital Reserve. These reserves accumulate revenue to help fund capital projects including equipment replacement and major rehabilitation. They are funded by annual contributions from user rates, SDCs, and loans. Each reserve is explained in detail below.

EQUIPMENT REPLACEMENT RESERVE

The Equipment Replacement Reserve accumulates replacement funding for three types of equipment: 1) major/stationary equipment items valued over \$10,000 with life expectancy greater than one year; 2) fleet vehicles maintained by the Eugene Wastewater Division; and 3) computer servers that serve the Eugene Wastewater Division. Contributions to the Equipment Replacement Reserve in the FY 22-23 budget total \$1,600,000, additional budget details are provided below.

The Equipment Replacement Reserve is intended to accumulate funds necessary to provide for the timely replacement or rehabilitation of equipment, and may also be borrowed against to provide short-term financing of capital improvements. An annual analysis is performed on the Equipment Replacement Reserve. Estimates used in the analysis include replacement costs, interest earnings, inflation rates and useful lives for the equipment.

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	<i>PROPOSED</i> BUDGET FY 22-23
EQUIPMENT REPLACEMENT RESERVE			
Beginning Balance	13,929,952	15,166,259	13,717,558
Annual Equipment Contribution	750,000	750,000	1,600,000
Interest	150,000	150,000	75,000
Equipment Purchases	(963,000)	(2,348,700)	(3,220,000)
Equipment Replacement Reserve	\$13,866,952	\$13,717,559	\$12,172,558

SYSTEM DEVELOPMENT CHARGE (SDC) RESERVES

SDCs are required as part of the MWMC IGA. They are connection fees charged to new users to recover the costs related to system capacity, and are limited to funding Capital Programs. The purpose of the SDC Reserves is to collect and account for SDC revenues separately from other revenue sources, in accordance with Oregon statutes. The Commission's SDC structure includes a combination of "Reimbursement" and "Improvement" fee components. Estimated SDC revenues for FY 22-23 are approximately \$1,800,000. The projected beginning SDC Reserve balance on July 1, 2022 is \$8,063,391.

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	<i>PROPOSED</i> BUDGET FY 22-23
REIMBURSEMENT SDC RESERVE			
Beginning Balance	\$1,696,386	\$1,759,681	\$1,965,509
Reimbursement SDCs Collected	200,000	200,000	200,000
Interest	25,000	25,000	15,000
SDC Compliance Charge	4,000	4,000	4,000
Transfer to Fund 612	(23,172)	(23,172)	(24,744)
Materials & Services	(2,000)	(2,000)	(4,000)
Reimbursement SDC Reserve	\$1,900,214	\$1,963,509	\$2,155,765

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	<i>PROPOSED</i> BUDGET FY 22-23
IMPROVEMENT SDC RESERVE			
Beginning Balance	\$4,016,833	\$6,323,429	\$6,097,882
Improvement SDCs Collected	1,600,000	1,600,000	1,600,000
Interest	25,000	25,000	30,000
Materials & Services	(2,000)	(2,000)	(10,000)
Funding for Capital Improvement Projects	(4,414,570)	(5,321,745)	(3,916,270)
Improvement SDC Reserve	\$1,225,263	\$2,624,684	\$3,801,612

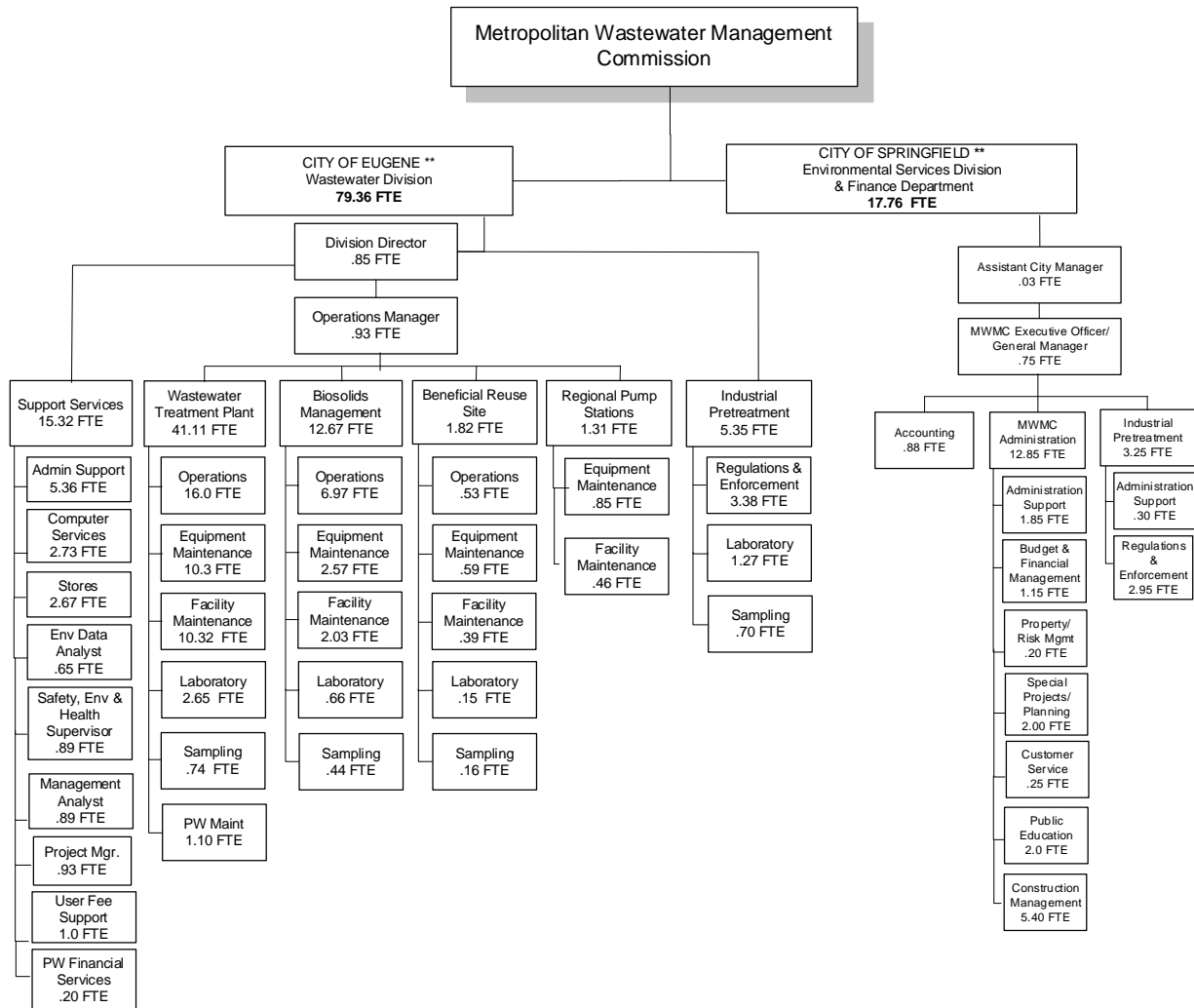
CAPITAL RESERVE

The Capital Reserve accumulates funds transferred from the Operating Reserve for the purpose of funding the CIP, Major Capital Outlay and Major Rehabilitation Program costs. The intent is to collect sufficient funds over time to construct a portion of planned capital projects with cash in an appropriate balance with projects that are funded with debt financing. The FY 22-23 Budget includes a contribution from the Operating Reserve of \$13,000,000. The beginning balance on July 1, 2022, is projected to be \$58,937,814. Additional budget detail on the CIP, Major Capital Outlay and Major Rehabilitation Program reserves is provided below.

	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	<i>PROPOSED</i> BUDGET FY 22-23
CAPITAL RESERVES			
Beginning Balance	\$53,327,365	\$56,005,992	\$58,937,814
Transfer from Operating Reserve	9,800,000	9,800,000	13,000,000
Interest	525,000	525,000	300,000
Other Income	10	10	10
Funding For Capital Improvement Projects	(17,285,430)	(19,394,978)	(26,983,730)
Funding For Major Rehabilitation	(165,000)	(419,300)	(662,000)
Funding For Major Capital Outlay	-	(370,000)	-
Capital Reserve	\$46,201,945	\$46,146,724	\$44,592,094

OPERATING PROGRAMS

EXHIBIT 6
REGIONAL WASTEWATER PROGRAM*
ORGANIZATION CHART FY 22-23



Notes:

* Full-Time Equivalent (FTE) figures represent portions of Eugene and Springfield staff funded by regional wastewater funds.

** The chart represents groups of staff dedicated to program areas rather than specific positions.

EXHIBIT 7REGIONAL WASTEWATER PROGRAM
POSITION SUMMARY

CLASSIFICATION	BUDGET FY 20-21	BUDGET FY 21-22	PROPOSED FY 22-23	FTE CHANGE
SPRINGFIELD ENVIRONMENTAL SERVICES & FINANCE				
Accountant	0.80	0.80	0.80	-
Accounting Manager	0.08	0.08	0.08	-
Administrative Specialist	2.65	2.65	2.65	-
Assistant City Manager	0.05	0.03	0.03	-
Civil Engineer	1.00	1.00	1.00	-
Design & Construction Coordinator	2.00	2.00	2.00	-
Environmental Analyst	0.00	1.00	1.00	-
Environmental Management Analyst	0.90	0.90	0.90	-
Environmental Services Program Manager	0.80	0.80	0.80	-
Environmental Services Supervisor	1.95	1.95	1.95	-
Environmental Services Technician	2.00	2.00	2.00	-
ESD Division Director/MWMC Executive Officer	0.80	0.80	0.80	-
Management Analyst	0.75	0.75	0.75	-
MWMC Managing Engineer	1.00	1.00	1.00	-
Public Information & Education Analyst	2.00	2.00	2.00	-
TOTAL SPRINGFIELD	16.78	17.76	17.76	-

EXHIBIT 7 (Continued)REGIONAL WASTEWATER PROGRAM
POSITION SUMMARY

CLASSIFICATION	BUDGET FY 20-21	BUDGET FY 21-22	PROPOSED FY 22-23	FTE CHANGE
EUGENE WASTEWATER DIVISION & OTHER PW				
Administrative Specialist, Sr	1.78	1.78	1.78	-
Administrative Specialist	0.95	0.95	0.95	-
Application Support Technician, Sr	0.95	0.95	0.95	-
Application Systems Analyst	1.78	1.78	1.78	-
Custodian	2.00	2.00	2.00	-
Finance & Admin Manager	0.89	0.89	0.89	-
Electrician 1	3.28	3.28	3.28	-
Engineering Associate	0.35	0.35	0.35	-
Maintenance Worker	13.25	13.25	13.25	-
Management Analyst	5.14	5.14	5.14	-
Parts and Supply Specialist	1.78	1.78	1.78	-
PW Financial Services Manager	0.20	0.20	0.20	-
Utility Billing Coordinator	1.00	1.00	1.00	-
Wastewater Lab Assistant	0.82	0.82	0.82	-
Wastewater Division Director	0.85	0.85	0.85	-
Wastewater Instrument Electrician	1.00	1.00	1.00	-
Wastewater Plant Operations Manager	0.93	0.93	0.93	-
Wastewater Operations Supervisor	2.00	2.00	2.00	-
Wastewater Plant Maintenance Supervisor	2.88	2.88	2.88	-
Wastewater Pretreatment & Lab Supervisor	0.82	0.82	0.82	-
Wastewater Technician	36.71	36.71	36.71	-
TOTAL EUGENE	79.36	79.36	79.36	-
GRAND TOTAL	96.14	97.12	97.12	-

**CITY OF SPRINGFIELD
REGIONAL WASTEWATER PROGRAM RESPONSIBILITIES**

The City of Springfield manages administration services for the RWP under the Intergovernmental Agreement for the Metropolitan Wastewater Management Commission (MWMC). The programs maintained by Springfield to support the RWP are summarized below and are followed by Springfield's regional wastewater budget summaries. Activities, and therefore program budgets, for the MWMC administration vary from year to year depending upon the major construction projects and special initiatives underway. A list of the capital projects Springfield staff will support in FY 22-23 is provided in Exhibit 12 on page 44.

Program Responsibilities

- Administration & Management
- Financial Planning & Management
- Long-Range Capital Project Planning
- Project and Construction Management
- Coordination between the Commission and governing bodies
- Coordination and Management of:
 - Risk Management & Legal Services
 - Public Policy Issues
 - Regulatory and Permit Compliance
- Public Information, Education and Outreach
- Industrial Pretreatment Source Control
- Customer Service

MWMC ADMINISTRATION

The Springfield Environmental Services Division (ESD) and Finance Department provide ongoing support and management services for the MWMC. The ESD Director serves as the MWMC Executive Officer and General Manager. Springfield provides the following administration functions: financial planning management, accounting and financial reporting; risk management and legal services; coordination and management of public policy; coordination and management of regulatory and permit compliance issues; coordination between the Commission and the governing bodies; long-range capital project planning and construction management; coordination of public information, education, and citizen involvement programs; sewer user customer service; and coordination and development of regional budgets, rate proposals, and revenue projections.

INDUSTRIAL PRETREATMENT (SOURCE CONTROL) PROGRAM

The Industrial Pretreatment Program is a regional activity implemented jointly by the Cities of Eugene and Springfield. The Industrial Pretreatment section of the ESD is charged with administering the program for the regulation and oversight of wastewater discharged to the sanitary collection system by industries in Springfield. This section is responsible for ensuring that these wastes do not damage the collection system, interfere with wastewater treatment processes, result in the pass-through of harmful pollutants to treated effluent or biosolids, or threaten worker health or safety.

This responsibility is fulfilled, in part, by the use of a permit system for industrial dischargers. This permit system, common to both Eugene and Springfield, implements necessary limitations on waste characteristics and establishes inspection, monitoring, and reporting requirements for documenting waste quality and quantity controls. The Industrial Pretreatment section is also responsible for locating new industrial discharges in Springfield and evaluating the impact of those discharges on the regional WPCF. The Industrial Pretreatment Program also addresses

the wastewater discharges of some commercial/industrial businesses through the development and implementation of Pollution Management Practices. Pretreatment program staff also coordinates pollution prevention activities in cooperation with the Pollution Prevention Coalition of Lane County.

ACCOUNTING AND FINANCIAL REPORTING

Accounting and financial reporting services for the RWP are provided by the Accounting division in the Springfield Finance Department, in coordination with ESD. Springfield Accounting staff provides oversight of financial control systems, ensures compliance with all local, state and federal accounting requirements for MWMC including debt management and treasury management services. This division also assists ESD with preparation of the MWMC budget, capital financing documents, sewer user rates, and financial policies and procedures.

PROGRAMS AND SIGNIFICANT SERVICE/EXPENDITURE CHANGES

In FY 22-23, the City of Springfield will support the following major regional initiatives in addition to ongoing Commission administration and industrial pretreatment activities:

- Continue public information, education and outreach activities focused on the MWMC's Key Outcomes and Communication Plan objectives to increase awareness of the MWMC's ongoing efforts in maintaining water quality and a sustainable environment.
- Implement Capital Financing strategies necessary to meet current debt obligations, prepare for additional debt financing, and ensure sufficient revenues in accordance with the MWMC Financial Plan.
- Continue implementation of the 2004 MWMC Facilities Plan and 2014 Partial Facilities Plan Update to meet all regulatory requirements and capacity needs. Considering emerging environmental regulations that may impact the operation of the WPCF.
- Protect the Regional Wastewater Program (RWP) interests through participation in Association of Clean Water Agencies activities.
- Coordinate temperature Total Maximum Daily Load (TMDL) compliance through continued development and implementation of the thermal load mitigation strategy, including but not limited to a recycled water program.
- Continue participation with the Association of Clean Water Agencies and the Department of Environmental Quality on regulatory permitting strategies and the development of water quality trading rules.
- Implement resiliency planning to ensure protection of public health and safety following natural disasters such as earthquakes and floods.
- Planning operationally and financially to begin the MWMC's NPDES permit renewal, the target date set by the DEQ for permit issuance is by the end of calendar year 2022.

BUDGET CHANGES FOR FY 22-23

The budget for Springfield Personnel Services, Materials and Services, and Capital Outlay for FY 22-23 totals \$5,134,895 representing an overall increase of \$458,000 or 9.8% from the adopted FY 21-22 budget, as displayed in Exhibit 8 on page 31.

Personnel Services

Personnel Services totaling \$2,474,896 represents a FY 22-23 increase of \$183,368 or 8.0% above the originally adopted FY 21-22 budget. The notable changes are summarized below:

Staffing

The FY 22-23 staffing budget includes flat number of Full Time Equivalents (FTEs) resulting in a total staffing level at 17.76 FTE in Springfield.

Regular Salaries and Overtime - \$1,574,496, an increase of \$109,222 or 7.5%

Salaries are based upon the negotiated management/labor contracts as approved by the Springfield City Council, and staffing levels.

Employee Benefits - \$532,099, an increase of \$70,778 or 15.3%

The employee benefits consist mainly of PERS/OPSRP retirement system costs, FICA and Medicare contributions. In addition, the newly enacted Oregon Paid Family Medical Leave Insurance which is an employer-paid State program will impacted FY23.

Health Insurance - \$362,559, an increase of \$3,368 or 0.9%

The increase is based on group claims experience and cost projections. Costs are calculated based on the number of employees.

Materials and Services

The Materials and Services budget total is \$2,659,999 in FY 22-23, representing an increase of \$274,631 or 11.5% above the adopted FY 21-22 budget. The notable changes are summarized below:

Billing & Collection Expense - \$800,000, an increase of \$70,000 or 9.6%

The \$70,000 increase includes contracted billing services for Eugene and Springfield utility billing services combined, as funded through the Springfield portion of the regional budget. The increase reflects growth in customer transactions and billing service contracts.

Property & Liability Insurance - \$420,000, an increase of \$75,000 or 21.7%

The \$75,000 increase reflects insurance on newly constructed infrastructure, and maintaining incremental increases on existing assets for property insurance coverage. Including services provided by the MWMC Agent of Record for property/liability coverage.

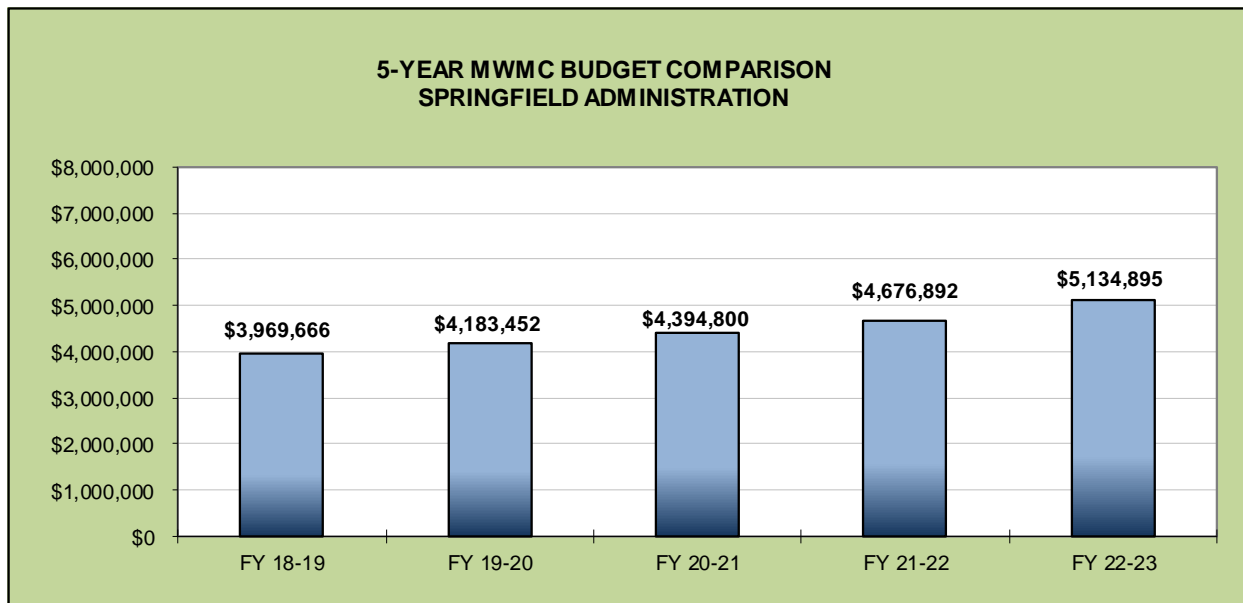
Internal & Indirect Charges Combined - \$655,176, an increase of \$39,949 or 19.0%

The \$39,949 increase is based on changes in overhead costs as programmed in the FY 22-23 budget, when compared FY 21-22. Internal charges are determined by the City of Springfield, and indirect costs are based on a methodology approved by the federal government, which is outlined in the MWMC Intergovernmental Agreement.

EXHIBIT 8

**SPRINGFIELD ADMINISTRATION PROGRAM
PROPOSED FY 22-23
BUDGET SUMMARY**

	ACTUALS FY 20-21	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE *	
					INCR/(DECR)	
Personnel Services	\$1,961,746	\$2,291,527	\$2,291,527	\$2,474,896	\$183,369	8.0%
Materials & Services	1,931,916	2,385,368	2,436,376	2,659,999	274,631	11.5%
Capital Outlay	0	0	0	0	0	0.0%
Budget Summary	\$3,893,662	\$4,676,895	\$4,727,903	\$5,134,895	\$458,000	9.8%



Note: * Change column compares the *proposed* FY 22-23 Budget to the adopted FY 21-22 Budget.

EXHIBIT 9

SPRINGFIELD ADMINISTRATION
LINE ITEM BUDGET SUMMARY

	ACTUALS FY 20-21	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE INCR/(DECR)	
<u>PERSONNEL SERVICES</u>						
Regular Salaries	\$1,251,953	\$1,465,274	\$1,465,274	\$1,574,496	\$109,222	7.5%
Overtime	0	5,742	5,742	5,742	0	0.0%
Employee Benefits	422,333	461,321	461,321	532,099	70,778	15.3%
Health Insurance	287,460	359,191	359,191	362,559	3,368	0.9%
Total Personnel Services	\$1,961,746	\$2,291,528	\$2,291,528	\$2,474,896	\$183,368	8.0%
FTE	16.56	17.76	17.76	17.76	0.00	0.0%
<u>MATERIALS & SERVICES</u>						
Billing & Collection Expense	\$668,137	\$730,000	\$730,000	\$800,000	\$70,000	9.6%
Property & Liability Insurance	326,787	345,000	345,000	420,000	75,000	21.7%
Contractual Services	36,713	143,373	143,373	206,373	63,000	43.9%
Attorney Fees and Legal Expense	33,095	183,022	183,022	183,022	0	0.0%
WPCF/NPDES Permits	154,532	167,000	167,000	167,000	0	0.0%
Materials & Program Expense	103,086	96,700	147,708	110,555	13,855	14.3%
Computer Software & Licenses	41,444	66,132	66,132	70,332	4,200	6.4%
Employee Development	4,478	20,760	20,760	23,551	2,791	13.4%
Travel & Meeting Expense	868	18,154	18,154	23,990	5,836	32.1%
Internal Charges	218,988	230,231	230,231	279,456	49,225	21.4%
Indirect Costs	343,788	384,996	384,996	375,720	(9,276)	-2.4%
Total Materials & Services	\$1,931,916	\$2,385,368	\$2,436,376	\$2,659,999	\$274,631	11.5%
<u>CAPITAL OUTLAY</u>						
Total Capital Outlay	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL	\$3,893,662	\$4,676,896	\$4,727,904	\$5,134,895	\$458,000	9.8%

CITY OF EUGENE REGIONAL WASTEWATER PROGRAM RESPONSIBILITIES

The Wastewater Division for the City of Eugene manages all regional wastewater pollution control facilities serving the areas inside the Eugene and Springfield Urban Growth Boundaries under the Intergovernmental Agreement for the Metropolitan Wastewater Management Commission (MWMC). These regional facilities include the Eugene/Springfield Regional Water Pollution Control Facility (WPCF), the Biosolids Management Facility, the Beneficial Reuse Site, the Biocycle Farm site, and regional wastewater pumping stations and transmission sewers.

Program Responsibilities

- Facility Operations
- Facility Maintenance
- Biosolids Management
- Environmental Services
- Management Information Services
- Administration and Management

In support of the water pollution control program, the division provides technical services for wastewater treatment, management of equipment replacement and infrastructure rehabilitation, biosolids land application, regional laboratory services, resource recovery operations, and an industrial source control and pretreatment program in collaboration with environmental services staff at City of Springfield.

REGIONAL WASTEWATER TREATMENT - FACILITY OPERATIONS

The Wastewater Division operates the WPCF to treat residential, commercial, and industrial wastes to achieve an effluent quality that protects the beneficial uses of the Willamette River. The Operations section optimizes wastewater treatment processes to ensure effluent quality requirements are met in an efficient and cost-effective manner. In addition, the Operations section provides continuous monitoring of the alarm functions for all plant processes, regional and local pump stations, the Biosolids Management Facility (BMF), and the Beneficial Reuse Site (BRS).

REGIONAL WASTEWATER TREATMENT - FACILITY MAINTENANCE

The mechanical, electrical, and facilities maintenance sections of the Wastewater Division are responsible for preservation of the multi-million-dollar investment in the equipment and infrastructure of the WPCF, regional pump stations, pressure sewers, as well as the BMF, BRS, and Biocycle Farm. These sections provide a preventative maintenance program to maximize equipment life and reliability; a corrective maintenance program to repair unanticipated failures; and a facility maintenance program to maintain the buildings, treatment structures, and grounds.

BIOSOLIDS AND RECYCLED WATER MANAGEMENT

The Residuals Management section of the Wastewater Division operates the BMF and Biocycle Farm to process and land apply biological solids (biosolids) produced as a result of the activated sludge treatment of wastewater. After further processing the biosolids from the WPCF, the dried material is applied to approved agricultural land. Biosolids are also applied on poplar trees at the Biocycle Farm as a beneficial nutrient and soil conditioner. In addition, this section utilizes recycled water for the processing of biosolids and for irrigation. This section also operates the BRS, which formerly served to treat wastewater from food processing operations.

ENVIRONMENTAL SERVICES

Environmental Services is comprised of Industrial Source Control (Pretreatment), Analytical Services, and Sampling Team.

Industrial Source Control (ISC) - The pretreatment program is a regional activity implemented jointly by the cities of Eugene and Springfield. The ISC group of the Wastewater Division is charged with administering the pretreatment program for the regulation and oversight of commercial and industrial wastewaters discharged to the wastewater collection system by fixed-site industries in Eugene and by mobile waste haulers in the Eugene and Springfield areas. This group is also responsible for ensuring that these wastes do not damage the collection system, interfere with wastewater treatment processes, result in the pass-through of harmful pollutants to treated effluent or biosolids, or threaten worker health or safety.

This responsibility is fulfilled through the use of a permit and discharge authorization system for industrial and commercial users of the wastewater collection system. This permit system, common to both Eugene and Springfield, implements necessary prohibitions and limitations on waste characteristics and establishes inspection, monitoring, and reporting requirements for documenting waste quality and quantity controls. The staff is also responsible for locating new industrial and commercial discharges in Eugene and evaluating the impact of their discharges on the WPCF. The section also has responsibilities related to environmental spill response activities.

Analytical Services - The Analytical Services group provides analytical laboratory work in support of wastewater treatment, residuals management, industrial source control, stormwater monitoring, and special project activities of the Wastewater Division. The laboratory's services include sample handling and analyses of influent sewage, treated wastewater, biosolids, industrial wastes, stormwater, surface water, and groundwater. Information from the laboratory is used to evaluate the performance of the treatment process, make treatment process control decisions, document compliance with regulatory requirements, demonstrate environmental protection, and ensure worker health and safety.

Sampling Team - The Sampling Team is responsible for sampling and field monitoring activities related to regional wastewater program functions. These include the Eugene pretreatment program, wastewater treatment process control, effluent and ambient water quality, groundwater quality, facultative sludge lagoons, biosolids, application site soils, stormwater samples, and natural gas quality samples.

MANAGEMENT INFORMATION SERVICES (MIS)

The MIS section provides services for electronic data gathering, analysis, and reporting in compliance with regulatory requirements and management functions. This section also maintains the network communication linkages with the City of Eugene and supplies technical expertise and assistance in the selection, operation, and modification of computer systems (hardware and software) within the division.

ADMINISTRATIVE AND MANAGEMENT SERVICES

Administrative Services provides management, administrative, and office support to the Wastewater Division. This support includes the general planning, directing, and managing of the activities of the division; development and coordination of the budget; administration of personnel records; and processing of payroll, accounts payable, and accounts receivable. This section also provides tracking and monitoring of all assets for the regional wastewater treatment facilities and support for reception, customer service, and other administrative needs. The administrative services include oversight and coordination of the division's Environmental Management System (EMS), safety, and training programs, and an inventory/storeroom administrative unit that purchases and stocks parts and supplies and assists with professional services contracting. Another area this program administers is the coordination of local and regional billing and rate activities.

PROGRAMS AND SIGNIFICANT SERVICE/EXPENDITURE CHANGES

In FY 22-23, Eugene staff will support the following major regional initiatives in addition to ongoing operations and maintenance activities.

- Manage the Operations & Maintenance (O&M) responsibilities of the NPDES wastewater discharge permit for the treatment of wastewater and the Lane Regional Air Protection Agency (LRAPA) air emissions permit for the regional wastewater treatment plant.
- Manage the O&M responsibilities of the Renewable Natural Gas (RNG) facility to maximize production of renewable fuel and the associated renewable fuel standard credits.
- Provide technical input and O&M assessments related to proposed/newly adopted environmental regulations, renewable energy objectives, and operational resiliency. This includes impact evaluations of the regulatory actions upon operational responsibilities such as the federal sanitary sewer overflows (SSO), blending policy development, Willamette River TMDLs implementation, and any newly adopted state water quality standards.
- Complete scheduled major rehabilitation, equipment replacement, and other capital projects in an efficient and timely manner.
- Work cooperatively on CIP elements and effectively integrate capital project work with ongoing O&M activities with an emphasis on maintaining an effective CIP management and coordination program with Springfield staff.
- Manage the O&M aspects of the BMF and the Biocycle Farm, continuing biosolids land application practices and poplar tree management.

SIGNIFICANT CHANGES IN THE O&M BUDGET FOR FY 22-23

The FY 22-23 budget for Operations and Maintenance of the regional wastewater treatment facilities (personnel, materials and services, and capital outlay) totals \$17,199,000. The amount represents an increase of \$1,202,881 or 7.5% from the FY 21-22 budget. The most significant cost centers for the budget include regular wages, chemicals, computer equipment and software, contractual services, fleet service charges, utilities and indirect charges. Significant items and changes for the FY 22-23 Operations and Maintenance budget as compared to the FY 21-22 budget include the following:

Personnel Services

Personnel Services totaling \$10,460,000 represents an FY 22-23 increase of \$339,808 or 3.4%. There is no change in the current staffing level for FY 22-23, which is currently at 79.36 Full Time Equivalent (FTE) positions.

Regular Wages - \$5,996,435, a net increase of \$305,808 or 5.4%

The current contract between City of Eugene and AFSCME was ratified in December 2021, which includes 2% cost of living adjustment (COLA) in FY 21-22; 4% COLA for FY 22-23 and employee grade changes and boot allowance increases for certain classifications. About 83% of Eugene staff in the regional wastewater program are AFSCME represented.

Materials and Services

The Materials and Services budget totaling \$6,380,000 represents an FY 22-23 increase of \$642,073 or 11.2%. The notable changes are in the following budget categories:

Chemicals – \$740,500, a net increase of \$286,150 or 63.0%

The costs for hypochlorite, sodium bisulfite, and polymer (both dry and liquid) have increased significantly. Unit prices are established through regional competitive price agreements, and resupply orders are placed depending on the timing of treatment process and O&M activity. Additional chemical expenses included in FY 22-23 are the H₂S filter media for the Renewable Natural Gas (RNG) facility and aluminum chlorohydrate for the Class A Disinfection Facilities project (P80098).

Computer Equipment and Supplies – \$444,573, a net increase of \$58,820 or 15.2%

City of Eugene's internal service charges for PeopleSoft licensing and maintenance, updates and upgrades, and personnel support will total \$77,218 in FY 22-23, an increase of \$29,659 or 62% over FY 21-22. The corporate software contribution is 51% of the computer equipment and supplies budget category. Other increases budgeted in FY 22-23 are for network service, other software application licensing and maintenance, and computer hardware.

Contractual Services – \$598,750, a net increase of \$139,450 or 30.4%

Greater need for contractual services is anticipated for FY 22-23, with significant increases specific to gas analysis and support for the RNG facility, Yokogawa (DCS) support for the RNG facility, analytical services for specific laboratory work, and professional services (engineering).

Fleet Operating Charges – \$509,682, a net increase of \$60,768 or 13.9%

The internal charges from Eugene Public Works Fleet Services comprises 92% of the fleet operating charges category. Fleet charges are budgeted to increase by \$60,768 in FY 22-23 due to economic factors for automotive parts and equipment needed.

Materials & Program Expense – \$712,026, a net decrease of \$107,975 or -13.2%

Analyses of prior-year actuals indicate that expense reductions in the Materials & Program Expense category can be planned to more closely align the budget to actual expenses. Reductions for FY 22-23 are for equipment rental, advertising, training and related travel, uniforms and clothing, tools and minor equipment, laundry services, and related.

Parts & Components – \$363,000, a net decrease of \$44,100 or -10.8%

Reductions for FY 22-23 are also planned for parts and components used in maintenance activity in the effort to better align the budget to actual expenses.

Risk Insurance – Employee Liability – \$61,869, a net decrease of \$11,043 or -15.1%

For FY 22-23 City of Eugene risk services has planned for a decrease in premium expense for employee liability insurance.

Utilities – \$1,417,000, a net increase of \$161,703 or 12.9%

The Utilities category includes the purchase of electricity, natural gas, water, and sewer usage for all regional facilities. The increase for FY 22-23 is planned for higher utility expenses due to the RNG facility becoming operational and the discontinued regular use of the CoGen (800 KW Jenbacher engine generator). Furthermore, the utility rates charged by all utility providers were increased in 2022.

Indirect Charges - \$1,300,000, a net increase of \$100,000 or 8.3%

This expenditure category includes costs for payroll processing, human resources services, information technology services, and budget and financial services provided by the City of Eugene to the Wastewater Division. Budgeting for Indirect Charges are planned by applying assumptions for the Federal Indirect Rate as a proportion of the planned operating charges for the fiscal year. As operating charges are planned to increase in FY 22-23, budgeting for indirect charges should be increased commensurately.

Capital Outlay - Budget

The FY 22-23 budget includes \$359,000 for the Capital Outlay items listed below.

Capital Outlay	
Project Description	FY 22-23 Proposed Budget
Arc Flash Risk Assessment (engineering study)	\$120,000
Primary Power Switchgear, Condition Assessment (engineering study)	75,000
Medium Voltage Transformers, Condition Assessment (engineering study)	60,000
Solids and Ammonia Sensors, Supernate Station, BMF	50,000
Demolition/Disposal of ISC Trailer	20,000
Scissor Lift, Indoor Use, Facilities Maintenance	20,000
Gas Flow Meter Calibration Device, Electrical Maintenance	14,000
Total	\$359,000

Arc Flash Risk Assessment – An electrical assessment to determine the personal protection equipment (PPE) required to safely work in electrical panels.

Primary Power Switchgear Condition Assessment – An assessment of the physical condition and electrical performance of the switchgear for the primary sources of power at both the main plant and Willakenzie pump station.

Medium Voltage Transformers Condition Assessment – A condition assessment of the main transformers at each process area.

Solids and Ammonia Sensors for Supernate – Installation of new sensors for the monitoring supernate will be interlinked with Plant-to-BMF communications for immediate alerts to Operations staff, which will result in improved ability to address operational problems efficiently and ensure optimal wastewater treatment.

Demolition of ISC Trailer – Demolition of the old mobile trailer that was replaced by the new Environmental Services Building.

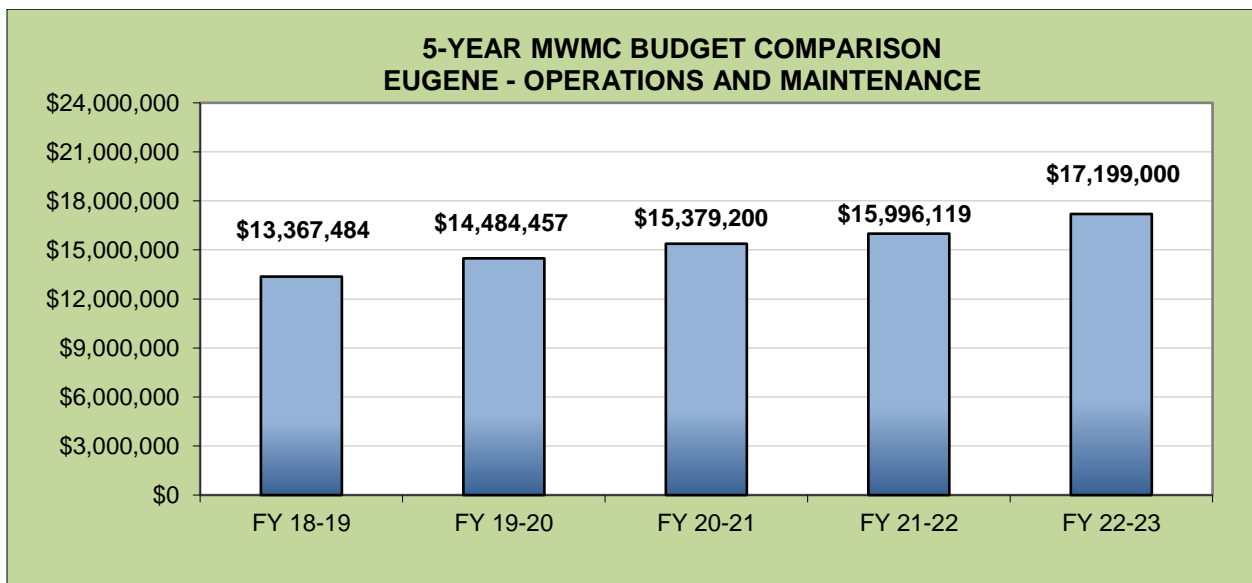
Scissor Lift, Indoor Use – A lift to fit through doorways which will allow maintenance staff to access the vaulted ceilings and clearstories of the maintenance and environmental services buildings.

Gas Flow Meter Calibration Device – This will provide maintenance staff greater access to the configuration and calibration settings of the gas flow meters used on the Digesters and RNG processes.

EXHIBIT 10

**EUGENE - OPERATIONS AND MAINTENANCE PROGRAM
PROPOSED FY 22-23
BUDGET SUMMARY**

	ACTUALS FY 20-21	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE *	
					INCR/(DECR)	
Personnel Services	\$8,840,654	\$10,120,192	\$10,120,192	\$10,460,000	\$339,808	3.4%
Materials & Services	4,660,214	5,737,927	5,737,927	6,380,000	642,073	11.2%
Capital Outlay	13,995	138,000	208,000	359,000	221,000	160.1%
Budget Summary	\$13,514,863	\$15,996,119	\$16,066,119	\$17,199,000	\$1,202,881	7.5%



NOTE: Does not include Major Rehabilitation or Equipment Replacement

EXHIBIT 11

EUGENE - OPERATIONS & MAINTENANCE
LINE ITEM BUDGET SUMMARY

	ACTUAL FY 20-21	ADOPTED BUDGET FY 21-22	AMENDED BUDGET FY 21-22	PROPOSED BUDGET FY 22-23	CHANGE INCR/(DECR)	
<u>PERSONNEL SERVICES</u>						
Regular Salaries	\$5,051,822	\$5,690,627	\$5,690,627	\$5,996,435	\$305,808	5.4%
Overtime	37,550	33,100	33,100	33,704	604	1.8%
Employee Benefits	2,187,304	2,530,837	2,530,837	2,534,919	4,082	0.2%
Paid Family Med Leave Insurance	0	0	0	29,982		
Workers' Comp/Unemploy Ins	108,860	122,079	122,079	121,411	(668)	-0.5%
Health Insurance	1,455,118	1,743,549	1,743,549	1,743,549	0	0.0%
Total Personnel Services	\$8,840,654	\$10,120,192	\$10,120,192	\$10,460,000	\$339,808	3.4%
FTE	78.36	79.36	79.36	79.36	0.00	0.0%
<u>MATERIALS & SERVICES</u>						
Utilities	\$810,187	\$1,255,297	\$1,255,297	\$1,417,000	\$161,703	12.9%
Fleet Operating Charges	549,765	448,914	448,914	509,682	60,768	13.5%
Maintenance-Equip & Facilities	243,905	234,300	234,300	232,600	(1,700)	-0.7%
Contractual Services	472,113	459,300	459,300	598,750	139,450	30.4%
Materials & Program Expense	371,528	820,001	820,001	712,026	(107,975)	-13.2%
Chemicals	460,292	454,350	454,350	740,500	286,150	63.0%
Parts & Components	380,555	407,100	407,100	363,000	(44,100)	-10.8%
Risk Insurance - Employee Liability	120,232	72,912	72,912	61,869	(11,043)	-15.1%
Computer Equip, Supplies, Maint	293,001	385,753	385,753	444,573	58,820	15.2%
Indirects	1,034,678	1,200,000	1,200,000	1,300,000	100,000	8.3%
Total Materials & Services	\$4,736,256	\$5,737,927	\$5,737,927	\$6,380,000	\$642,073	11.2%
<u>CAPITAL OUTLAY</u>						
Motorized Vehicles	\$0	\$0	\$0	\$0	\$0	0.0%
Capital Outlay - Other	13,995	138,000	208,000	359,000	221,000	160.1%
Total Capital Outlay	\$13,995	\$138,000	\$208,000	\$359,000	\$221,000	160.1%
TOTAL	\$13,590,905	\$15,996,119	\$16,066,119	\$17,199,000	\$1,202,881	7.5%

CAPITAL PROGRAM

REGIONAL WASTEWATER PROGRAM CAPITAL PROGRAMS

Overview

The Regional Wastewater Program (RWP) includes two components: the Capital Improvement Program (CIP) and the Asset Management Capital Program (AMCP). The FY 22-23 CIP Budget, the FY 22-23 AMCP Budget, and the associated 5-Year Capital Plan are based on the 2004 MWMC Facilities Plan (2004 FP), the 2014 Partial Facilities Plan Update, and the Resiliency Planning Study (Disaster Mitigation & Recovery Plan – March 2020). The 2004 FP was approved by the MWMC, the governing bodies of the City of Eugene, the City of Springfield, Lane County, and the Oregon Department of Environmental Quality (DEQ). The 2004 FP and its 20-year capital project list was the result of a comprehensive evaluation of the regional wastewater treatment facilities serving the Eugene-Springfield metropolitan area.

The 2004 FP built on previous targeted studies, including the 1997 Master Plan, 1997 Biosolids Management Plan, 2001 Wet Weather Flow Management Plan (WWFMP), and the 2003 Management Plan for a dedicated biosolids land application site. The 2004 FP is intended to meet changing regulatory and wet weather flow requirements and to serve the community's wastewater capacity and treatment needs through 2025. Accordingly, the 2004 FP established the CIP project list to provide necessary facility enhancements and expansions over the planning period. The CIP is administered by the City of Springfield for the MWMC. The AMCP implements the projects and activities necessary to maintain functionality, lifespan, and effectiveness of the MWMC facility assets on an ongoing basis. The AMCP is administered by the City of Eugene for the MWMC and consists of three sub-categories:

- Equipment Replacement Program
- Major Rehabilitation Program
- Major Capital Outlay

The MWMC has established these capital programs to achieve the following RWP objectives:

- Compliance with applicable local, state, and federal laws and regulations
- Protection of the health and safety of people and property from exposure to hazardous conditions such as untreated or inadequately treated wastewater
- Provision of adequate capacity to facilitate community growth in the Eugene-Springfield metropolitan area consistent with adopted land use plans
- Construction, operation, and management of MWMC facilities in a manner that is as cost-effective, efficient, and affordable to the community in the short and long term
- Mitigation of potential negative impacts of the MWMC facilities on adjacent uses and surrounding neighborhoods (ensuring that the MWMC facilities are “good neighbors” as judged by the community)

Capital Program Funding and Financial Planning Methods and Policies

This annual budget document presents the FY 22-23 CIP Budget, the FY 22-23 AMCP Budget, and 5-Year Capital Plan which includes the CIP and AMCP Capital Plan. The MWMC CIP financial planning and funding methods are in accordance with the financial management policies put forth in the MWMC Financial Management Plan.

Each of the two RWP capital programs relies on funding mechanisms to achieve the objectives described above. The CIP is funded primarily through Capital Reserves, which may include proceeds from revenue bond sales, financing through the State of Oregon Department of Environmental Quality (DEQ) Clean Water State Revolving Fund loan program, System Development Charges, and transfers from the Operating Fund to Capital Reserves.

The RWP's operating fund is maintained to pay for operations, administration, debt service, equipment replacement contributions and capital contributions associated with the RWP. The operating fund derives the majority of its revenue from regional wastewater user fees that are collected by the City of Eugene and City of Springfield from their respective customers. In accordance with the MWMC Financial Plan, funds remaining in excess of budgeted operational expenditures can be transferred from the Operating Fund to the Capital Reserve fund. The Capital Reserve accumulates revenue to fund capital projects, including major rehabilitation, to reduce the amount of borrowing necessary to finance capital projects. In addition, a significant amount of the CIP is funded with Improvement System Development Charges in FY 22-23.

The AMCP consists of three programs managed by the City of Eugene and funded through regional wastewater user fees: The Equipment Replacement Program, which funds replacement of equipment valued at or over \$10,000 with a life expectancy greater than one year; The Major Rehabilitation Program, which funds rehabilitation of the MWMC infrastructure such as roof replacements, structure coatings, etc.; and the Major Capital Outlay Program for the initial purchase of major equipment that will be placed on the equipment replacement list, or a one time large capital expense. The MWMC assets are tracked throughout their lifecycle using asset management tracking software. Based on this information, the three AMCP program annual budgets are established and projected for the 5-Year Capital Plan.

For planning purposes, MWMC considers market changes that drive capital project expenditures. Specifically, the MWMC capital plan reflects projected price changes over time that affect cost of materials and services. Accordingly, the 2004 FP projections were based on the 20-city average *Engineering News Record Construction Cost Index* (ENRCCI). In addition, City of Springfield staff and MWMC design consultants monitor construction trends in Oregon and construction changes based on the COVID pandemic (2020 to present).

Regional Wastewater Capital Program Status and Budget**CIP Project Status and Budget**

The FY 22-23 CIP Budget is comprised of the individual budgets for each of the active (carryover) or starting (new) projects in the first year of the 5-Year Capital Plan. The total of these FY 22-23 project budgets is \$30,900,000. Each capital project represented in the FY 22-23 Budget is described in detail in a CIP project sheet that can be found at the end of this document. Each project sheet provides a description of the project, the project's purpose and driver (the reason for the project), the funding schedule for the project, and the project's expected final cost and cash flow. For those projects that are in progress, a short status report is included on the project sheet. In 2019, the MWMC Resiliency Planning consultant study focused on seismic (Cascadia magnitude 9.0 earthquake) and major flooding event(s), and recommended some infrastructure multi-year improvements for consideration during the CIP Budgeting process.

Completed Capital Projects

The following capital projects were completed in FY 21-22:

- Renewable Natural Gas Upgrades
- Riparian Shade Credit Program
- Aeration Basin Improvements – Phase 2 (study of existing aeration systems)
- Facilities Plan Engineering Services

Carryover Capital Projects

All or a portion of remaining funding for active capital projects in FY 21-22 is carried forward to the FY 22-23 Budget. The on-going carryover projects are:

- Administration Building Improvements
- Class A Disinfection Facilities
- Resiliency Follow-Up
- Comprehensive Facility Plan Update
- Glenwood Pump Station Upgrades
- Poplar Harvest Management Services
- Recycled Water Demonstration Project

Overall, the budgeting for these projects follows, and is consistent with, the estimated cost of the listed capital projects and new information gathered during the MWMC design development process.

New Projects for FY 22-23

- Aeration Basin Upgrades (2023 to 2026)
- Tertiary Filtration – Phase 2
- Water Quality Trading Program
- WPCF Stormwater Infrastructure

FY 22-23 Capital Budget Summary (Exhibit 12)

Exhibit 12 displays the adjusted budget and end-of-year expenditure estimates for FY 21-22, the amount of funding projected to be carried over to FY 22-23 and additional funding for existing and/or new projects in FY 22-23.

EXHIBIT 12

Summary of FY 22-23 MWMC Construction Program Capital Budget

	FY 21-22 ADJUSTED BUDGET	FY 21-22 ESTIMATED ACTUALS	FY 21-22 CARRYOVER TO FY 22-23	NEW FUNDING FOR FY 22-23	TOTAL FY 22-23 BUDGET
Project to be Completed in FY 21-22					
Renewable Natural Gas Upgrades	2,146,263	1,880,000	0	0	0
Riparian Shade Credit Program	1,440,102	270,000	0	0	0
Aeration Basin Improvements - Phase 2	1,286,692	360,000	0	0	0
Facility Plan Engineering Services	80,892	50,000	0	0	0
Projects to be Carried Over to FY 22-23					
Administration Building Improvements	7,582,063	1,082,063	6,500,000	0	6,500,000
Class A Disinfection Facilities	7,644,162	2,344,162	5,300,000	0	5,300,000
Resiliency Follow-Up	695,908	395,908	300,000	3,000,000	3,300,000
Comprehensive Facility Plan Update	638,558	438,558	200,000	1,840,000	2,040,000
Glenwood Pump Station Upgrades	2,048,574	248,574	1,800,000	0	1,800,000
Poplar Harvest Management Services	788,267	558,267	230,000	100,000	330,000
Recycled Water Demonstration Project	365,242	35,242	330,000	0	330,000
New Projects in FY 22-23					
Aeration Basin Upgrades (2023 to 2026)	0	0	0	5,000,000	5,000,000
Tertiary Filtration - Phase 2	0	0	0	3,000,000	3,000,000
Water Quality Trading Program	0	0	0	3,000,000	3,000,000
WCPF Stormwater Infrastructure	0	0	0	300,000	300,000
TOTAL Capital Projects	\$24,716,723	\$7,662,774	\$14,660,000	\$16,240,000	\$30,900,000

FY 22-23 Asset Management Capital Program and Budget

The AMCP consists of the following three programs:

- Equipment Replacement
- Major Rehabilitation
- Major Capital Outlay

The FY 22-23 budget of each program is described below.

Equipment Replacement Program - Budget

The FY 22-23 Capital Programs budget includes \$3,220,000 in Equipment Replacement purchases that are identified on the table below.

Equipment Replacement	
Project Description	FY 22-23 Proposed Budget
Distributed Control System (DCS), Operations	\$2,070,000
Tractor, Paddle Mixer w/Aerator Attachment (Brown Bear or similar)	546,000
Integrated Tool Carrier, CAT Loader, Facilities	350,000
Sodium Hypochlorite Tank, Final	100,000
Sludge Grinder, Sluice Trough #2, Pretreatment	60,000
Electric Carts (x1), Operations	25,000
Electric Cart (x1), Maintenance	25,000
Discrete Analyzer, ESB Laboratory (*instead of SGTHEM, discontinued from ER)	24,000
Mower, 72" Deck, Zero Turn w/Mulcher, Facilities	20,000
Total	\$3,220,000

Distributed Control System (DCS) – The plant’s distributed control system hardware is nearing its “end of support” phase and should be replaced to maintain operational stability.

Tractor, Paddle Mixer – This tractor and attachment are used to mix and aerate the biosolids in the air drying beds.

Integrated Tool Carrier, CAT Loader – The current loader has already been repurposed once and is at the end of its useful life.

Sodium Hypochlorite Tank, Final – Repair the failing false bottom of the chemical storage tank.

Sludge Grinder – The grinder is a critical spare to chop-up trash collected on the bar screens before it is dewatered and sent to the landfill. This will replace the current spare for which parts are no longer available.

Electric Carts, Operations and Maintenance – Replace electric carts that are no longer reliable and require more frequent repairs.

Discrete Analyzer – This instrument is used to analyze water quality samples required by the NPDES permit and meet lower detection limits required by a rule change. The instrument is standalone and does not require software or service contracts. *Note: The SGTHEM equipment planned for FY23 replacement is obsolete and removed from ER schedule; discrete analyzer is recommended instead of SGTHEM.

Mower, 72” Deck, Zero Turn w/Mulcher – The twelve year-old mower has electrical wiring problems, plugs, and doesn’t starting reliably.

Major Rehabilitation Program - Budget

The FY 22-23 Capital Programs budget includes \$662,000 for Major Rehabilitation projects that are identified on the table below.

Major Rehabilitation	
Project Description	FY 22-23 Proposed Budget
Interior Dome Recoating, #1 Digester	\$280,000
Roof Replacement, Operations Building, BMF	97,000
Roof Replacement, Willakenzie Pump Station	75,000
Roof Replacement, Welding Shop, Maintenance	55,000
Roof Replacement, Facilities Maintenance Workshop	55,000
Grit Channels, Wood Baffles (x4), Replacement	50,000
Roof Replacement, Clarifiers Pump Room, Primary	35,000
Ops/Maint Building Improvements	15,000
Total	\$662,000

Interior Dome Recoating, #1 Digester – An industrial epoxy coating on the interior of the digester dome protects the structural concrete from corrosive hydrogen sulfide gas. The existing coating is delaminating.

Roof Replacements (x5) – Perform roof improvements ranging from major repairs to complete replacement. This is following the recommendations of a third-party roof assessment company.

Grit Channels, Wood Baffles (x4) – Baffles in the grit channels that assist with separating grit from incoming wastewater. These baffles were made of treated wood and are rotting.

Ops/Maint Building Improvements – Budget for unforeseen, larger cost improvements to regional buildings.

Major Capital Outlay

There are no new requests for Major Capital Outlay in FY 22-23.

Asset Management Capital Budget Summary

The following table summarizes the FY 22-23 Asset Management Capital Program Budget by project type showing a total AMCP budget of \$3,882,000.

Asset Management Capital Project Budget	
Project Description	FY 22-23 Proposed Budget
Equipment Replacement	\$3,220,000
Major Rehabilitation	662,000
Major Capital	-
Total	\$3,882,000

FY 23-24 Asset Management Capital Program Status and Budget

The AMCP consists of the following programs:

- Equipment Replacement
- Major Rehabilitation
- Major Capital Outlay

The FY 23-24 budget and status of each program is described below.

Equipment Replacement Program – Budget Forecast

The FY 23-24 Capital Programs budget includes \$1,340,000 in Equipment Replacement purchases that are identified in the table below.

Equipment Replacement	
Project Description	FY 23-24 Budget Forecast
Strain Press, BioSolids Drying Press #1, BMF	\$375,000
Tractor/Loader, Integrated Tool Carrier (Caterpillar)	350,000
Passenger Vehicles, EV/Hybrid (x2), Administration	120,000
Motor Control Center, Willakenzie PS	100,000
Pickup Truck, Dump Bed, Facilities	95,000
Augers (x2), Tractor Attachments, Biosolids Drying, BMF	90,000
Flail Mowers (x5), BMF	75,000
Pickup Truck, 4WD, Facilities	65,000
Electric Carts (x2), Plant Maintenance	50,000
Mower, 72 inch, Zero Turn w/Mulcher, Facilities	20,000
Total	\$1,340,000

Strain Presses, Biosolids Drying Press (x3) – The presses are used to filter, screen, dewater and transport biosolids during processing.

Tractor-Loader, Integrated Tool Carrier (Caterpillar) – The integrated tool carrier performs a variety of functions including sweeping drying beds, biosolids production, biosolids application, and lifting and moving heavy objects.

Passenger Vehicles, EV/Hybrid (x2) – Replacement of two 13-year old passenger vehicles.

MCC, Willakenzie PS – Parts for the Motor Control Center are obsolete and no longer available.

Pickup Truck, Dump Bed – The 20-year old truck should be replaced because of condition and age.

Tractor Auger Attachments (x2) – The tractor attachments are used to dig holes.

Flail Mowers (x5) – A mower attachments are used for mowing grassy areas, areas overgrown with brush, vines and other types of vegetation.

Pickup Truck, 4WD – Replacement of maintenance pickup which has reached the end of its economic useful life and upgraded to 4-wheel drive.

Electric Carts (x2), Maintenance – Replace electric carts that are no longer reliable and require more frequent repairs.

Mower, 72” Deck, Zero Turn w/Mulcher – The 13-year old mower should be replaced because of condition and age.

Major Rehabilitation Program - Budget

The FY 23-24 Capital Programs budget includes \$798,000 for Major Rehabilitation projects that are identified in the table below.

Major Rehabilitation	
Project Description	FY 23-24 Budget Forecast
Exterior Coatings, Domes #3 and 4, Digesters	\$260,000
Coating, Raw Sewage Pumps (x4), Pretreatment	240,000
Grit Channel Coating and Rails Rehab (x2), Pretreatment	175,000
Coating, Head Cells/Grit Collector, Pretreatment	65,000
Asphalt Resealing, Roadway and Parking Area, BMF	22,000
Building Improvements, Ops-Maintenance Buildings	20,000
Masonry Weather Sealing, Operations Building, BMF	16,000
Total	\$798,000

Exterior Dome Coatings, Digesters – An industrial epoxy coating on the exterior of the digester domes protects the structural concrete from deterioration.

Raw Sewage Pump Coatings, Pretreatment – An industrial epoxy coating on the raw sewage pumps protects equipment from corrosive hydrogen sulfide gas. The existing coating is delaminating.

Grit Channel Coatings and Rails, Pretreat – An industrial epoxy coating on the grit channels and rails protects the equipment.

Grit Collector/Head Cells Coating, Pretreat – An industrial epoxy coating on the grit collector and head cells protects the equipment.

Roadway and Parking Area Resealing, BMF – To maintain and protect the roads and parking areas of the facility.

Building Improvements, Ops-Maint Buildings – Budget for unforeseen, larger cost improvements to regional buildings.

Masonry Resealing, Ops Building, BMF – To maintain and protect the operations building at the BMF.

Major Capital - Budget

There are no new requests for Major Capital Outlay in FY 23-24.

Summary of FY 23-24 Asset Management Capital Program Budget

Asset Management Capital Project Budget	
Project Description	FY 23-24 Budget Forecast
Equipment Replacement	\$1,340,000
Major Rehabilitation	798,000
Major Capital Outlay	-
Total	\$2,138,000

5-Year Capital Plan (Exhibit 13)

For each fiscal planning cycle, only the first year of budget authority is appropriated. The remaining four years of the CIP and AMCP Capital Plans are important and useful for fiscal and work planning purposes. However, it is important to note that the funds in the outer years of the Capital Plan are only planned and not appropriated. Also, the full amount of obligated multi-year project costs is often appropriated in the first year of the project, unless a smaller subset of the project, such as project design, can be identified and funded without budgeting the full estimated project cost. For these multi-year contracts, unspent funds from the first fiscal year will typically be carried over to the next fiscal year until the project is completed. Accordingly, the RWP Capital Plan presented herein is a subsequent extension of the plan presented in the adopted FY 21-22 Budget that has been carried forward by one year to FY 22-23. Changes to the 5-Year Plan typically occur from year to year as more information becomes available and evaluated.

Exhibit 13 displays the MWMC 5-Year Capital Plan programs budget, which includes \$90,510,000 in planned capital projects and \$14,631,000 planned asset management capital projects for an overall 5-Year Capital Plan Budget of \$105,141,000.

EXHIBIT 13**Regional Wastewater 5-Year Capital Programs**

	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	TOTAL
CAPITAL PROJECTS						
Biosolids Management						
Poplar Harvest Management Services	330,000					330,000
Non-Process Facilities and Facilities Planning						
Comprehensive Facility Plan Update 1	2,040,000					2,040,000
Facility Plan Engineering Services		120,000	120,000	130,000	140,000	510,000
Conveyance Systems						
Resiliency Follow-Up	3,300,000	600,000	300,000	1,200,000	2,000,000	7,400,000
Glenwood Pump Station	1,800,000					1,800,000
Plant Performance Improvements						
Administration Building Improvements	6,500,000					6,500,000
Class A Disinfection Facilities	5,300,000					5,300,000
Aeration System Upgrades (2023-2026)	5,000,000	25,000,000				30,000,000
Tertiary Filtration - Phase 2	3,000,000		13,500,000			16,500,000
Water Quality Trading Program	3,000,000	3,000,000	2,500,000	2,500,000	2,000,000	13,000,000
Recycled Water Demonstration Projects	330,000					330,000
WCPF Stormwater Infrastructure	300,000	300,000				600,000
Waste Activated Sludge Thickening			1,200,000	3,000,000	2,000,000	6,200,000
TOTAL CAPITAL PROJECTS	\$30,900,000	\$29,020,000	\$17,620,000	\$6,830,000	\$6,140,000	\$90,510,000
ASSET MANAGEMENT						
Equipment Replacement	\$3,220,000	\$1,340,000	\$1,038,000	\$3,615,000	\$1,866,000	\$11,079,000
Major Rehabilitation	662,000	798,000	717,000	651,000	724,000	3,552,000
Major Capital Outlay						0
TOTAL ASSET MANAGEMENT	\$3,882,000	\$2,138,000	\$1,755,000	\$4,266,000	\$2,590,000	\$14,631,000
TOTAL CAPITAL IMPROVEMENTS	\$34,782,000	\$31,158,000	\$19,375,000	\$11,096,000	\$8,730,000	\$105,141,000

POPLAR HARVEST MANAGEMENT SERVICES (P80083)



Description: This project develops a long-term poplar management strategy for the Biocycle Farm through refinement of poplar harvest, planting practices, and identification of wood products markets best aligned with the highest and best use of Biocycle Farm poplar. The project ensures the timely harvest of the initial plantings in each management unit (MU) within the regulatory 12-year rotation limit and subsequent replanting. Upon final replanting oversight of MU-3 through FY22/23, the long-term poplar harvest and planting will be added to operations/maintenance functions in 2023 under the Eugene Wastewater Division.

Status: MU-1 was replanted in 2016. MU-2 was replanted in 2018-19. MU-3 was harvested in 2021 with replanting anticipated in 2022-2023.

Justification: Regulatory land use requirements for operation of the Biocycle Farm and optimization of farm effectiveness and efficiency, including biosolids and recycled water management strategies.

Project Driver: Land Use Compatibility Statement (LUCS) issued by Lane County; Biosolids Management Plan and Recycled Water Use Plan under the MWMC’s NPDES permit.

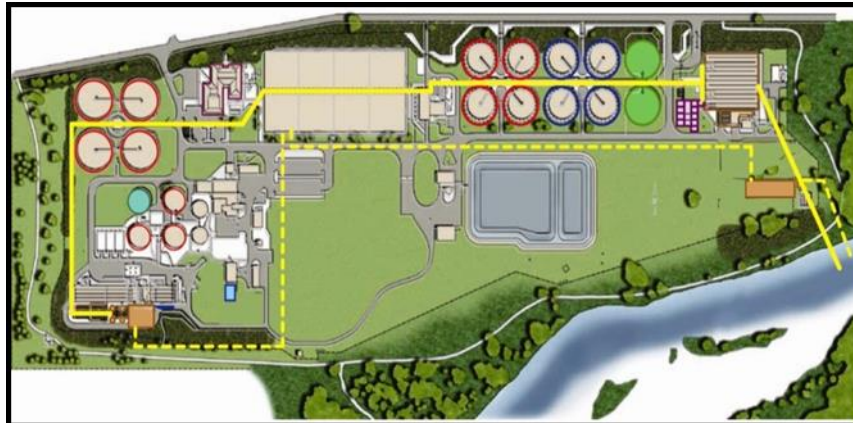
Project Trigger: Maturity of each 12-year rotation age cycle in conformance with agricultural use rules.

Estimated Project Cost: \$2,082,145 (estimate 2013 to June 2023)

Estimated Cash Flow: FY 13-14 = \$116,009; FY 14-15 = \$114,465; FY 15-16 = \$136,814; FY 16-17 = \$105,653; FY 17-18 = \$435,573; FY 18-19 = \$138,388; FY 19-20 = \$ 110,007; FY 20-21 = \$36,969; FY 21-22 = \$558,267
FY 22-23 = \$330,000

Expenditure/Category:	Prior	2021-22		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$1,193,878	\$558,267	\$330,000	\$0	\$0	\$0	\$0	\$0	\$2,082,145
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$1,193,878	\$558,267	\$330,000	\$0	\$0	\$0	\$0	\$0	\$2,082,145

COMPREHENSIVE FACILITIES PLAN UPDATE (P80101)



Description: This will be the first MWMC Comprehensive Facilities Plan Update since the 2004 MWMC Facilities Plan. The update could include WPCF stormwater planning, NPDES permit renewal, system development charge evaluation, facilities planning technical services, and cost estimating for a 20-year planning horizon. The update will draw on the most recent plant data, permit compliance requirements, and available technology able to ensure the MWMC continues to meet future regulations, environmental standards, and community growth.

Status: As of January 2022, consultant provided WPCF stormwater master plan (December 2021). The bulk of the planned budget is reserved for future implementation of planning work in response to the MWMC’s anticipated NPDES permit renewal in 2022.

Justification: Evaluate and plan for future MWMC conveyance and treatment upgrades and solutions to meet regulatory requirements, preserve public health, community growth, and water quality standards.

Project Driver: Provide comprehensive facilities planning to develop the capital program for the upcoming 20-year period once the MWMC receives new regulatory requirements under the next NPDES permit #102486 renewal document.

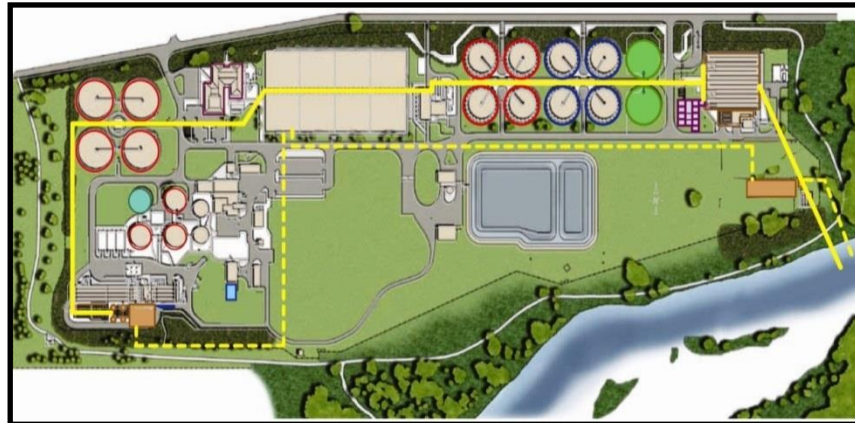
Project Trigger: The WPCF stormwater planning portion was triggered to address local building permit requirements for MWMC upcoming construction projects. The remaining project scope will be initiated after the upcoming NPDES permit renewal in 2022.

Estimated Project Cost: \$2,600,000

Estimated Cash Flow: FY 18-19 = \$35,701; FY 19-20 = \$15,174; FY 20-21 = \$70,567; FY 21-22 = \$438,558; FY 22-23 = \$1,840,000; FY 23-24 = \$200,000

Expenditure/Category:	Prior	2021-22		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$121,442	\$438,558	\$2,040,000	\$0	\$0	\$0	\$0	\$0	\$2,600,000
Total Cost	\$121,442	\$438,558	\$2,040,000	\$0	\$0	\$0	\$0	\$0	\$2,600,000

FACILITY PLAN ENGINEERING SERVICES (P80110)



Description: Engineering/technical consultant services for analysis, project definition, cost estimating, design feedback, and general consultation regarding the MWMC Facilities Plan follow up (2023 to 2028). The related project P80090 was closed out in FY 21/22.

Status: After the MWMC upcoming 2022 permit renewal, staff anticipates updating the Facilities Plan under P80101 and as needed follow up support via P80110 Facility Plan Engineering Services.

Justification: Consultant services to provide ongoing technical and engineering resources as needed after the MWMC Comprehensive Facilities Plan Update (P80101).

Project Driver: Ongoing engineering support.

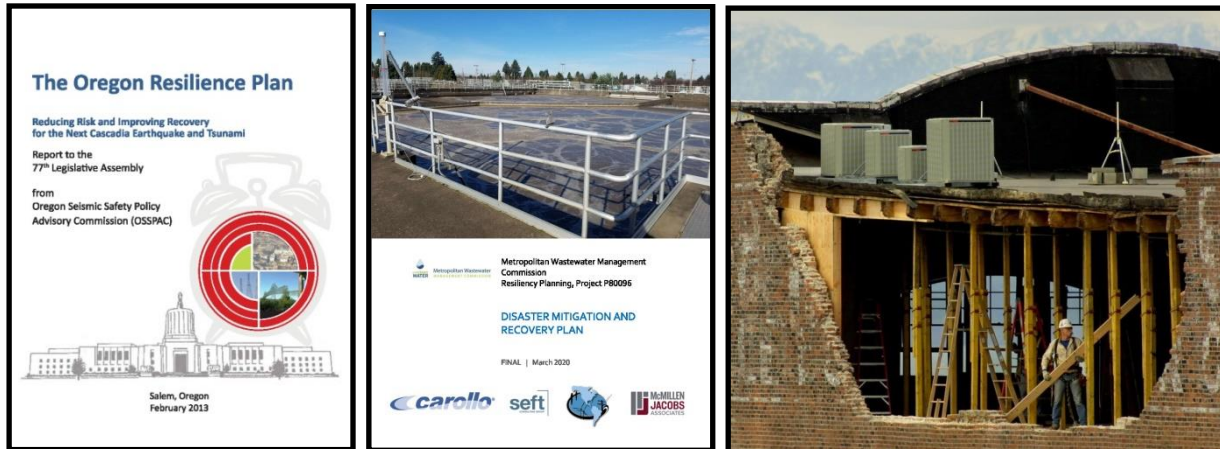
Project Trigger: Ongoing need.

Estimated Cost: \$660,000 (2023 to 2028)

Estimated Cash Flow: FY 23-24 = \$120,000; FY 24-25 = \$120,000; FY 25-26 = \$130,000; FY 26-27 = \$140,000; FY 27-28 = \$150,000

Expenditure/Category:	Prior	2021-2022		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$120,000	\$120,000	\$130,000	\$140,000	\$510,000
Total Cost	\$0	\$0	\$0	\$0	\$120,000	\$120,000	\$130,000	\$140,000	\$510,000

RESILIENCY FOLLOW-UP (P80109)



Description: This project provides follow-up evaluation and some implementation of the P80096 Resiliency Study (Disaster Mitigation and Recovery Plan - dated March 2020). The 2019 study recommended seismic and flooding mitigation projects estimated at \$34.6-million to be coordinated with the MWMC ongoing infrastructure/facilities construction program. The main objective is to address “level of service” goals before a natural disaster such as 9.0 magnitude earthquake or major flooding. Also, the MWMC should continue to communicate with the agencies that prepare for natural disasters that can impact the Eugene/Springfield community.

Status: As of January 2022: Established four on-call engineering consultant agreements to help with the recommendations from the P80096 Resiliency Study regarding proposed mitigation projects to reduce the impact of flooding and earthquake (magnitude 9.0) issues.

Justification: The MWMC’s facilities and wastewater conveyance and treatment services are integral to protection of the community and public health following a major disaster such as the anticipated Cascadia Subduction Zone Earthquake and major flooding.

Project Driver: Cost effectively ensure reasonable recovery of MWMC’s core facilities and services following major disaster impacts after earthquake or flooding.

Project Trigger: Per Commission direction, consultant work began in July 2018. The MWMC plan with consultant recommendations is dated March 2020. Established consultant agreements in 2021 with four engineering businesses.

Estimated Project Cost: Mitigation recommendations estimate: \$34.6-million (2019 dollars)

Estimated Cash Flow: FY 20-21 = \$4,092; FY 21-22 = \$395,908; FY 22-23 = \$3,000,000; FY 23-24 = \$600,000; FY 24-25 = \$300,000; FY 25-26 = \$1,200,000; FY 26-27 = \$2,000,000; and continue the MWMC mitigation work estimated above \$34-million

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2021-22 Est. Act.</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
Design/Construction	\$4,092	\$395,908	\$3,300,000	\$600,000	\$300,000	\$1,200,000	\$2,000,000	\$7,800,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$4,092	\$395,908	\$3,300,000	\$600,000	\$300,000	\$1,200,000	\$2,000,000	\$7,800,000

GLENWOOD PUMP STATION UPGRADE (P80064)



Description: Expand Glenwood pump station capacity to accommodate growth and meet Oregon Department of Environmental Quality (DEQ) wastewater pump station design requirements. The pump station was designed with stalls for additional pumps. Two pumps are currently installed with space for two additional pumps to be added when flow to the pump station increases with development of the Glenwood and Laurel Hills basins. In 2019, the P80096 Resiliency Planning study recommended onsite geotechnical evaluation and additional improvements.

Status: As of January 2022, issued consultant task order work to evaluate existing pumping capacity and geotechnical investigation.

Justification: Additional pumping capacity will be required at this MWMC pump station to handle increasing flows in the Glenwood area (Springfield) and the Laurel Hill area (Eugene).

Project Driver: Oregon DEQ wastewater pump station redundancy requirements and 2019 Resiliency study recommendations.

Project Trigger: Peak wet weather instantaneous flow reaches 80 percent of the pump station firm capacity.

Estimated Project Cost: \$2,050,000 (but plan to get updated construction cost estimating in 2022)

Estimated Cash Flow: FY 20-21 = \$1,426; FY 21-22 = \$248,574; FY 22-23 = \$1,800,000

<u>Expenditure/Category:</u>	<u>Prior</u>	<u>2021-22</u>		<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
	<u>Years</u>	<u>Est.</u>	<u>Act.</u>					
Design/Construction	\$1,426	\$248,574	\$1,800,000	\$0	\$0	\$0	\$0	\$2,050,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$1,426	\$248,574	\$1,800,000	\$0	\$0	\$0	\$0	\$2,050,000

ADMINISTRATION BUILDING IMPROVEMENTS (P80104)



Description: This project will address the Administration/Operations Building workspace needs at the Water Pollution Control Facility (WPCF). It is a follow up to the 2018-2019 construction of the P80085 new laboratory building and expansion of the existing maintenance building. In 2019, the P80096 Resiliency Planning study recommended evaluating MWMC options for building space including: a) constructing a new MWMC building for immediate occupancy/use after a major natural disaster, or b) upgrade the existing building for immediate occupancy post-earthquake (magnitude 9.0 event). There are challenges and benefits with each of these two options that will be explored during the initial planning phase of this project. With the creation of a building meeting immediate occupancy design, a pre-designated “Incident Command Post” could be utilized at the WPCF site after a natural disaster. The existing 1982 building is currently used for operating and control of the MWMC treatment facility.

Status: As of January 2022, the project team and design consultant are beginning the process of evaluating, short-listing, and pricing some options for Commission consideration in 2022.

Justification: The original design and construction of the WPCF Administration/Operations Building was completed February 1982 under older building codes. Since that time, use of the building and associated construction codes have changed substantially necessitating the need to reevaluate the MWMC building options to address level of service goals after a nature disaster (earthquake or flooding).

Project Driver: The need to update the existing Administration/Operations building is driven by the necessity to provide a safe and efficient work environment for the WPCF staff. Many of the planned changes stem from a changing wastewater/environmental business because of changing regulations since the WPCF was originally constructed in 1982. Also, address the P80096 recommended level of service goals to operate after magnitude 9.0 earthquake issue.

Project Trigger: Expansion and changes needed for functionality, safety, and natural disaster resiliency.

Estimated Project Cost: \$7,600,000 (but may increase based on project scope and construction inflation)

Estimated Cash Flow: FY 20-21 = \$17,937; FY 21-22 = \$1,082,063; FY 22-23 = \$6,000,000; FY 23-24 = \$500,000

<u>Expenditure/Category:</u>	<u>Prior</u>	<u>2021-22</u>		<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
	<u>Years</u>	<u>Est.</u>	<u>Act.</u>					
Design/Construction	\$17,937	\$1,082,063	\$6,500,000	\$0	\$0	\$0	\$0	\$7,600,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$17,937	\$1,082,063	\$6,500,000	\$0	\$0	\$0	\$0	\$7,600,000

CLASS A DISINFECTION FACILITIES (P80098)



Source: Jiangsu YLD Water Processing Equipment Co., Ltd.



Source: Hazen & Sawyer; hazenandsawyer.com



Source: Portalogic; portalogic.info

Description: Provides disinfection, storage, and distribution facilities needed to bring tertiary filtered effluent to Class A standards on a consistent and reliable basis for initial demonstration of recycled water uses on- and off-site of the MWMC treatment site. The project includes the design, bidding, construction, and permitting of Class A recycled water disinfection facilities.

Status: As of January 2022, the 90% design submittal is under review by the project team.

Justification: Class A recycled water is necessary to expand recycled water to landscaping, street tree, and industrial uses. Demonstration of Class A quality and reliability is necessary for stakeholder acceptance and future adoption of expanded recycled water uses.

Project Driver: The Thermal Load Mitigation Alternatives Evaluation, Recycled Water Program Implementation Planning, Phase 2 Study (dated August 2014) recommended demonstration scale use of Class A recycled water to address stakeholder acceptability issues identified as barriers to full-scale recycled water uses.

Project Trigger: Pilot recycled water demonstration sites with willing, ready-to-proceed partners have been identified, including City of Eugene (street tree watering) and industrial aggregate sites for equipment washing.

Estimated Project Cost: \$8 million (recycled water Class A infrastructure and upgrade one structure for 9.0 magnitude earthquake preparedness related to MWMC P80096 level of service goals)

Estimated Cash Flow: FY 18-19 = \$836; FY 19-20 = \$15,934; FY 20-21 = \$339,068; FY 21-22 = \$2,344,162; FY 22-23 = \$5,300,000

<u>Expenditure/Category:</u>	<u>Prior</u>	<u>2021-22</u>		<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
	<u>Years</u>	<u>Est.</u>	<u>Act.</u>						
Design/Construction	\$355,838	\$2,344,162	\$5,300,000	\$0	\$0	\$0	\$0	\$0	\$8,000,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$355,838	\$2,344,162	\$5,300,000	\$0	\$0	\$0	\$0	\$0	\$8,000,000

AERATION SYSTEM UPGRADES [2023-2026] (P80113)



Description: In 2020 and 2021, Brown and Caldwell evaluated the existing aeration systems and provided recommendations in January 2022 via project P80100. The P80113 project will implement the design and construction of additional upgrades/changes to the existing aeration systems by year 2026. Upgrades to the westerly existing aeration basins are anticipated after year 2031.

Status: As of January 2022: Brown and Caldwell provided consultant recommendation to upgrade the existing aeration system/equipment. The Commission was updated about the consultant recommendations at the January 14, 2022 meeting and the Commission requested some additional 2022 information from the MWMC project team.

Justification: Update aging (1984) existing equipment/systems such as piping, electrical, communication technology, blower, HVAC, and other components related to the aeration system which is part of the MWMC secondary treatment process.

Project Driver: Ongoing efforts to keep existing systems reliable and achieve required performance outcomes to address the National Pollution Discharge Elimination System (NPDES) permit.

Project Trigger: Need to address aging aeration systems for reliability and performance upgrades.

Estimated Project Cost: \$30,000,000 (revised cost estimating during the design development phase)

Estimated Cash Flow: FY 22-23 = \$4,000,000; FY 23-24 = \$10,500,000; FY 24-25 = \$10,300,000; FY 25-26 = \$5,200,000

Expenditure/Category:	Prior	2021-22		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$5,000,000	\$25,000,000	\$0	\$0	\$0	\$0	\$30,000,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$5,000,000	\$25,000,000	\$0	\$0	\$0	\$0	\$30,000,000

TERTIARY FILTRATION - PHASE 2 (P80102)



Description: The phased work program anticipates installing infrastructure/support facilities for 30 mgd of filters for tertiary filtration of secondary treated effluent. Phase 2 is planned to install filter system technology sufficient for another 10 mgd of treatment that will increase the total filtration capacity to 20 mgd. The Phase 3 project will install the remaining filtration technology to meet the capacity needs identified in the 2004 MWMC Facilities Plan.

In January 2016, the project scope and cost (estimate \$530K in 2015) increased to include updating electrical switchgear and installing tertiary filter flushing headers/pipe vents.

Status: Tertiary Filtration (Phase 2) project is anticipated to evaluate the MWMC newest permit and start design development in FY 22-23.

Justification: The 2004 MWMC Facilities Plan proposes filters on a phased work program. Filtration provides high quality secondary effluent to help meet permit requirements and potential Class A recycled water product.

Project Driver: Performance reliability to meet the dry weather NPDES total suspended solids limit of less than 10 mg/L, reuse development, and compliance with effluent limits during peak flow conditions.

Project Trigger: NPDES permit compliance for total suspended solids (TSS): Dry weather maximum month flow in excess of 49 mgd. Also, provide higher quality effluent so that reuse options can be developed. Continue to monitor the MWMC NPDES permit renewal timing anticipated in 2022.

Estimated Project Cost: \$16,500,000

Estimated Cash Flow: FY 22-23 = \$2,300,000; FY 23-24 = \$700,000; FY 24-25 = \$7,000,000; FY 25-26 = \$6,500,000

Expenditure/Category:	Prior	2021-22		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$3,000,000	\$0	\$13,500,000	\$0	\$0	\$0	\$16,500,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$3,000,000	\$0	\$13,500,000	\$0	\$0	\$0	\$16,500,000

WATER QUALITY TRADING PROGRAM (P80112)



Description: The MWMC Water Quality Trading Program secures regulatory credits for enhancing water quality through watershed restoration. The program fulfills the objectives of the MWMC Water Quality Trading Plan under the MWMC NPDES permit, which defines the MWMC eligible trading area in the upper Willamette basin. The program is implemented principally through the MWMC’s membership in the Pure Water Partners collaborative via the MWMC’s contractor-provided Credit Program Manager services and MWMC’s IGA with EWEB. Water quality trading credits comprise the MWMC’s primary strategy for thermal load limit compliance and may provide ancillary future water quality or carbon benefits.

Status: The MWMC with consultant help has developed a Water Quality Trading Plan for NPDES permit compliance and has fully evaluated the credit capacity, effectiveness, and scale of eligible lands in the upper Willamette basin. As of March 2019, the MWMC procured The Freshwater Trust (www.thefreshwatertrust.org) as the MWMC Credit Program Manager. As of January 2022, the MWMC has an active agreement with The Freshwater Trust for initial Pure Water Partners implementation assistance and ongoing maintenance of Sponsorship Pilot shade projects. Upon NPDES permit renewal (assume 2022) and implementation of the Water Quality Trading Plan, the MWMC will implement the permit-compliance water quality trading program scope of work with The Freshwater Trust.

Justification: The Water Quality Trading Program will help provide cost-effective strategies for most of the thermal load compliance dates as required under the MWMC NPDES permit renewal in 2022.

Project Driver: Implementation of updated temperature standard requirements in the MWMC’s renewed NPDES permit (assume 2022), including pre-TMDL and TMDL thermal load limits.

Project Trigger: The NPDES permit renewal multi-year compliance schedule implementation in 2022 through 2027 and beyond.

Estimated Project Cost: \$13 million (estimate 2022 to 2027)

Estimated Cash Flow: FY 22-23 = \$3,000,000; FY 23-24 = \$3,000,000; FY 24-25 = \$2,500,000; FY 25-26 = \$2,500,000; FY 26-27 = \$2,000,000

Expenditure/Category:	Prior	2021-2022		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$3,000,000	\$3,000,000	\$2,500,000	\$2,500,000	\$2,000,000	\$13,000,000	
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Cost	\$0	\$0	\$3,000,000	\$3,000,000	\$2,500,000	\$2,500,000	\$2,000,000	\$13,000,000	

RECYCLED WATER DEMONSTRATION PROJECTS (P80099)



Description: This project provides for stakeholder engagement, community communication/outreach, and any additional design, construction, permitting, and implementation of recycled water point-of-use needs beyond the MWMC’s point-of-delivery of Class A recycled water product. Project may entail onsite upgrades and retrofits to allow the use of recycled water in partnership with end-users, point-of-delivery metering, piping, controls, user training, information materials, and public interpretative signage.

Status: As of January 2022: Letters of intent from three demonstration site partners were secured in 2020 and ongoing planning of demonstration site use is underway in parallel with the Class A Disinfection Facilities design contract (P80098) approved by the MWMC on October 9, 2020. A recycled water advisory network and informational strategy was launched in 2020 to facilitate community partner and stakeholder identification of future Class A recycled water uses.

Justification: Demonstration of the MWMC’s capability and consistency of recycled water for use in a safe, effective, and publicly accepted manner is a key step toward future larger-scale recycled water uses. Future recycled water uses may be an important strategy for diverting effluent from the Willamette River to meet NPDES permit discharge limits for temperature and other benefits, including providing community water resource partnership opportunities.

Project Driver: The Thermal Load Mitigation Alternatives Evaluation-Recycled Water Program Implementation Planning, Phase 2 Study (dated August 2014) recommended demonstration scale use of Class A recycled water to address stakeholder acceptability issues identified as barriers to full-scale recycled water uses.

Project Trigger: Pilot Class A recycled water demonstration sites with willing, ready-to-proceed partners have been identified, including City of Eugene street tree watering and industrial aggregate site equipment washing via private/public partnership.

Estimated Project Cost: \$410,000

Estimated Cash Flow: FY 19-20 = \$27,899; FY 20-21 = \$16,859; FY 21-22 = \$35,242; FY 22-23 = \$330,000

<u>Expenditure/Category:</u>	<u>Prior</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
	<u>Years</u>	<u>Est. Act.</u>						
Design/Construction	\$44,758	\$35,242	\$330,000	\$0	\$0	\$0	\$0	\$410,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$44,758	\$35,242	\$330,000	\$0	\$0	\$0	\$0	\$410,000

WPCF STORMWATER INFRASTRUCTURE (P80111)



Description: Retrofit and/or change existing stormwater infrastructure at the Water Pollution Control Facility (WPCF). Also, update the WPCF Conditional Use Permit (CUP) related to stormwater infrastructure planning for upcoming construction.

Status: As of January 2022, Jacobs staff provided a Stormwater Master Plan (SWMP) dated December 16, 2021 with consultant recommendations including the need to update the MWMC existing CUP related to stormwater systems.

Justification: WPCF existing stormwater and drainage systems need to be retrofitted and/or changed for upcoming construction permit approvals.

Project Driver: Maintain compliance with local and state stormwater requirements at the WPCF.

Project Trigger: Each infrastructure hard surface change at the WPCF can trigger stormwater quality and quantity onsite controls related to project permit requirements.

Estimated Project Cost: \$600,000 (update WPCF CUP for stormwater, retrofit existing three bioswales to rain gardens, and some new rain gardens)

Estimated Cash Flow: FY 22-23 = \$200,000; FY 23-24 = \$250,000; FY 24-25 = \$150,000

Expenditure/Category:	Prior	2021-2022		2022-23	2023-24	2024-25	2025-26	2026-27	Total
	Years	Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$300,000	\$300,000	\$0	\$0	\$0	\$600,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$0	\$300,000	\$300,000	\$0	\$0	\$0	\$600,000

WASTE ACTIVATED SLUDGE THICKENING (P80078)



Description: Third gravity belt thickener (GBT) with associated at-grade building. Assumes additional basement floor space is not required.

Status: Continue to monitor the timing of this project.

Justification: Provide additional capacity for waste active sludge (WAS) thickening process.

Project Driver: Additional capacity to provide WAS thickening with one unit offline at WWMW upper limit flow projections. Nitrification required by the NPDES permit and increasing wastewater flows and loads generates more WAS solids. Provide ability to conduct recuperative thickening.

Project Trigger: Exceeding solids and hydraulic loading rate design criteria.

Estimated Project Cost: \$6,200,000

Estimated Cash Flow: FY 24-25 = \$1,200,000; FY 25-26 = \$3,000,000; FY 26-27 = \$2,000,000

<u>Expenditure/Category:</u>	<u>Prior</u> <u>Years</u>	<u>2021-22</u> <u>Est. Act.</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>Total</u>
Design/Construction	\$0	\$0	\$0	\$0	\$1,200,000	\$3,000,000	\$2,000,000	\$6,200,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$0	\$0	\$1,200,000	\$3,000,000	\$2,000,000	\$6,200,000

AGENDA ITEM SUMMARY

Meeting Date: 5/2/2022
Meeting Type: Regular Meeting
Staff Contact/Dept.: Mark Rust/DPW
Kristina Kraaz/CAO
Staff Phone No: 541-726-3654
Estimated Time: 5 Minutes
Council Goals: Mandate

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: SPRINGFIELD 2030 COMPREHENSIVE PLAN AMENDMENTS FOR MIDDLE HOUSING AND AFFORDABLE HOUSING STATUTES

ACTION REQUESTED: Hold a first reading on the following Ordinance:
AN ORDINANCE AMENDING THE SPRINGFIELD 2030 COMPREHENSIVE PLAN RESIDENTIAL AND USE AND HOUSING ELEMENT AND ECONOMIC ELEMENT TO CONFORM THE PLAN WITH NEW REQUIREMENTS IN STATE LAND USE STATUTES AND REGULATIONS RELATED TO MIDDLE HOUSING AND AFFORDABLE HOUSING DEVELOPMENT, ADOPTING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE

ISSUE STATEMENT: The City Council is required to amend the *Springfield 2030 Comprehensive Plan* to conform policies in the Residential and Economic Element with conflicting state statutes regarding middle housing and affordable housing, to ensure that the proposed Development Code Updates are consistent with the Comprehensive Plan when the code updates are adopted.

ATTACHMENTS: 1 – Ordinance amending the Springfield 2030 Comprehensive Plan
2 – Correspondence from Department of Land Conservation & Development (DLCD), April 21, 2022

**DISCUSSION/
FINANCIAL
IMPACT:** New state laws require the City to allow development that potentially conflicts with existing policies in the *Springfield 2030 Comprehensive Plan* (Comprehensive Plan). House Bill 2001 (2019) and Senate Bill 8 (2019) conflict with Residential Element’s Policy H.1 and the density ranges established in Implementation Action 1.1., by requiring the City to allow middle housing (duplexes, triplexes, fourplexes, cottage clusters and townhomes) and affordable housing that may exceed the maximum density allowed in a particular zone. Senate Bill 8 and other statutes regarding affordable housing also conflict with the Economic Element’s Policies E.1 and E.3, by mandating certain affordable housing be permitted in non-residential zoning districts.

This Ordinance amends the Residential and Economic Elements of the Comprehensive Plan to clarify that these statutes override the plan policies where there are conflicts (Attachment 1). These amendments are necessary for the City Council to adopt the amendments proposed in the Development Code Update Project to implement the statutes, because code amendments must be consistent with the comprehensive plan in addition to consistent with state laws.

No public hearing process is required to adopt this Ordinance. DLCD has confirmed in writing to the City that the Comprehensive Plan amendments are solely for the purpose of conforming the plan to new requirements in state statutes and thus do not require a public hearing under ORS 197.612 (Attachment 2).

CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____ (GENERAL)

AN ORDINANCE AMENDING THE SPRINGFIELD 2030 COMPREHENSIVE PLAN RESIDENTIAL AND USE AND HOUSING ELEMENT AND ECONOMIC ELEMENT TO CONFORM THE PLAN WITH NEW REQUIREMENTS IN STATE LAND USE STATUTES AND REGULATIONS RELATED TO MIDDLE HOUSING AND AFFORDABLE HOUSING DEVELOPMENT, ADOPTING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 20, 2011, the Springfield City Council adopted Ordinance 6268 adopting the *Springfield 2030 Comprehensive Plan Residential Land Use and Housing Element* (Residential Element) as an element of the Springfield 2030 Plan and a refinement to the *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan);

WHEREAS, the Residential Element implements Statewide Planning Goal 10: Housing "To provide for the housing needs of the citizens of the state," including goals, objectives, policies and implementation actions that supplement the Metro Plan (Chapter III-A), while demonstrating the City's ongoing commitment to increase housing choice and residential densities within Springfield's urban growth boundary;

WHEREAS, the Residential Element as adopted by Ordinance 6268 was acknowledged by the Land Conservation and Development Commission to comply with the statewide planning goals in 2011;

WHEREAS, Policy H.1. of the Residential Element provides the target density ranges and housing mix for housing development within the Springfield urban growth boundary based upon the findings adopted in the *Residential Land and Housing Needs Analysis* (RLHNA) adopted in Ordinance 6268;

WHEREAS, Implementation Action 1.1 under Policy H.1 establishes net density ranges to be implemented in the Springfield Development Code as follows: "Residential Low Density 6-14 dwelling units per acre [except as may be restricted under the Hillside Development Overlay District standards]; Residential Special Density 8-14 dwelling units per acre; Residential Medium Density 14-28 dwelling units per acre; Residential High Density 28-42 dwelling units per acre";

WHEREAS, on December 5, 2016, the Springfield City Council adopted Ordinance 6361 adopting the *Springfield 2030 Comprehensive Plan Economic Element* (Economic Element) as an element of the Springfield 2030 Plan and replacing the Metro Plan's economic element (Chapter III-B);

WHEREAS, the Economic Element implements Statewide Planning Goal 9: Economic Development, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens," demonstrating support for the growth of the local, regional, and State economy through land use patterns that provide and sustain a healthy, prosperous and equitable environment aligned with Springfield's interests, values, and assets;

WHEREAS, the Economic Element as adopted by Ordinance 6361 was acknowledged by the Land Conservation and Development Commission to comply with the statewide planning goals in 2019;

WHEREAS, Policy E.1. of the Economic Element directs the City to "designate an adequate supply of land that is planned and zoned to provide sites of varying locations, configurations, size and characteristics as identified and described in the Economic Opportunity Analysis to accommodate

industrial and other employment over the planning period,” and Policy E.3 directs the City to ensure that prime employment sites are not developed or redeveloped for non-employment uses;

WHEREAS, following adoption of the Residential Element and Economic Element, the Oregon legislature adopted several statutes in the 2019 and 2021 legislative sessions that supersede Policy H.1 and the density ranges established in Implementation Action 1.1., and Policies E.1 and E.3, by mandating certain housing types and densities that must be permitted in residential and non-residential zoning districts, notwithstanding any conflicting local comprehensive plan policy or land use regulation;

WHEREAS, in 2019, the Oregon Legislature enacted House Bill 2001, codified at ORS 197.758, requiring cities with a population of 25,000 or more to allow development of a duplex on each lot or parcel zoned for residential use that allows development of detached single-family dwellings and to allow middle housing types (including triplexes, fourplexes, townhomes, and cottage clusters) in areas zoned for residential use that allow the development of detached single-family dwellings;

WHEREAS, the Land Conservation and Development Commission adopted administrative rules for middle housing at OAR Chapter 660, division 46, to implement the requirements under House Bill 2001 that apply to the City of Springfield;

WHEREAS, in 2021, the Oregon Legislature enacted Senate Bill 458, codified at ORS 92.031, requiring cities to allow an expedited land division for separate dwelling units in a middle housing development that is approved under HB 2001;

WHEREAS, in 2021, the Oregon Legislature enacted Senate Bill 8, codified at ORS 197.308, restricting local governments from denying or limiting the approval of affordable housing within areas zoned for commercial and industrial use, subject to certain zoning and property ownership conditions, and requiring cities to apply density and height bonuses to affordable housing within residential districts;

WHEREAS, in 2021, the Oregon Legislature enacted House Bill 2008, which amended ORS 197.311 to require local governments to approve affordable housing developments on any parcels zoned other than industrial or that are contiguous with residential zoned parcel without requiring those parcels be rezoned as residential;

WHEREAS, in 2021, the Oregon Legislature enacted House Bill 3261, codified at ORS 197.748, requiring local governments to approve conversion of an existing hotel or motel to affordable housing subject to standards related to hazard mitigation;

WHEREAS, ORS 197.612 permits the City to take action to amend the comprehensive plan without holding a public hearing if the change is solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal or rule, provided the City gives notice to the Department of Land Conservation and Development (DLCD) and DLCD confirms in writing that the only effect of the proposed change is to conform to new requirements; and

WHEREAS, the City provided notice to DLCD of the proposed change as provided in ORS 197.612, and DLCD confirmed in writing by letter dated April 21, 2022 that the only effect of the proposed change to the Residential Element and Economic Element is to conform to the new requirements of state legislation described herein,

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The *Springfield 2030 Comprehensive Plan Residential Land Use and Housing Element* is amended to add the following footnote to Policy H.1:

For purposes of housing development, ORS 197.758, ORS 92.031, and ORS 197.308, override comprehensive plan provisions. ORS 197.758 (adopted by House Bill 2001 in 2019) compels the City to amend its development code to conform to state law for middle housing. ORS 92.031 (adopted by House Bill 458) compels the City to approve land divisions for said middle housing. ORS 197.308 (adopted by Senate Bill 8 in 2021) compels the City to apply density and height bonuses to development of affordable housing as defined in that statute. Thus, the code provisions adopted by [Ordinance adopting Case No. 811-18-000224-TYP4] demanded by statute, override any conflicting comprehensive plan policy or provision.

Section 2. The *Springfield 2030 Comprehensive Plan Economic Element* is amended to add the following footnote to Policy E.1 and Policy E.3:

For the purpose of affordable housing development, ORS 197.308 (adopted by Senate Bill 8 in 2021), ORS 197.311 (amended by House Bill 2008 in 2021), and ORS 197.748 (adopted by House Bill 3261) override comprehensive plan provisions. These statutes generally define affordable housing as housing made affordable to households with income that is a specified percentage of area median income, whose affordability is enforceable for a period specified in the statute. These state laws compel the City of Springfield to approve affordable housing developments, including within properties designated for employment uses, notwithstanding any conflicting comprehensive plan policy or provision. Thus, the code provisions adopted by [Ordinance adopting Case No. 811-18-000224-TYP4] demanded by statute, override any conflicting comprehensive plan policy or provision.

Section 3. Savings Clause. Except as specifically amended herein, the adopted and acknowledged policies of the *Springfield 2030 Comprehensive Plan* shall continue in full force and effect.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 5. Effective date of Ordinance. This Ordinance will take effect July 1, 2022.

ADOPTED by the Common Council of the City of Springfield this ____ day of _____, _____, by a vote of _____ for and _____ against.

APPROVED by the Mayor of the City of Springfield this _____ day of _____, _____.

Mayor

ATTEST:

City Recorder



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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April 21, 2022

Mark Rust, Planning Supervisor
City of Springfield
225 Fifth Street
Springfield, OR 97477



Delivered via email: mrust@springfield-or.gov

RE: Proposed Middle Housing Comprehensive Plan Amendments to Conform Plan to New Requirements in Statute and Rule; City File No.: 811-18-000224-TYP4; DLCDC PAPA File No.: 009-21

Dear Mark,

Thank you for providing timely notice to the department on the city's proposed middle housing-focused comprehensive plan amendments and development code amendments.

The department understands that the city is acting under the authority of ORS 197.612 to conform the residential land use and housing and economic elements of the comprehensive plan to conform to new middle housing requirements of ORS chapters 92 and 197, and OAR chapter 660 division 46.

The department concurs with the city's determination that public hearings are not needed to conform applicable elements of the city's comprehensive plan or development code to new requirements in statute and rule.

If you have questions or would like to further discuss, please contact me at (503) 856-6935 or Gordon.howard@dlcd.oregon.gov.

Best regards,

Gordon Howard, Community Services Manager

Copy. Patrick Wingard, Southern Willamette Valley Regional Representative