



# City Council Agenda

Mayor  
Sean VanGordon

City Council  
Michelle Webber, Ward 1  
Steve Moe, Ward 2  
Kori Rodley, Ward 3  
Beth Blackwell, Ward 4  
Victoria Doyle, 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](http://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.

December 4, 2023

5:30 p.m. Work Session  
Council Meeting Room

or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 868 0472 5567

[https://us06web.zoom.us/webinar/register/WN\\_9XMavyEaSvuPtsUJRbZSwg](https://us06web.zoom.us/webinar/register/WN_9XMavyEaSvuPtsUJRbZSwg)

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 Webber \_\_\_\_, Moe \_\_\_\_, Rodley \_\_\_\_, Blackwell \_\_\_\_, Doyle \_\_\_\_, and Pishioneri \_\_\_\_.

1. City Manager Compensation 2023  
[Chaim Hertz] (30 Minutes)
2. Capital Street Bond  
[Kristi Krueger] (40 Minutes)

ADJOURNMENT

---

7:00 p.m. Regular Meeting

Council Meeting Room

or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 868 0472 5567

[https://us06web.zoom.us/webinar/register/WN\\_9XMavyEaSvuPtsUJRbZSwg](https://us06web.zoom.us/webinar/register/WN_9XMavyEaSvuPtsUJRbZSwg)

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

---

CALL TO ORDER

ROLL CALL – Mayor VanGordon \_\_\_\_, Councilors Webber \_\_\_\_, Moe \_\_\_\_, Rodley \_\_\_\_, Blackwell \_\_\_\_, Doyle \_\_\_\_, and Pishioneri \_\_\_\_.

PLEDGE OF ALLEGIANCE

SPRINGFIELD UPBEAT

1. Mayor’s Recognition
2. Other

CONSENT CALENDAR

1. Claims
  2. Minutes
  3. Resolutions
    - a. RESOLUTION NO. 1 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD CONTRACTS EXCEEDING \$100,000 AND APPROVE AMENDMENTS TO PUBLIC CONTRACTS EXCEEDING LEVELS IN SPRINGFIELD MUNICIPAL CODE SECTION 2.706(3) IN CONFORMANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THE SPRINGFIELD MUNICIPAL CODE AND OREGON PUBLIC CONTRACTING LAW DURING THE PERIOD COMMENCING DECEMBER 5, 2023 AND CONTINUING THROUGH JANUARY 1, 2024 WHILE THE COMMON COUNCIL IS IN RECESS.
  4. Ordinances
    - a. ORDINANCE NO. 1 - AN ORDINANCE TO AMEND ORDINANCE NO. 6458 RELATING TO THE ADOPTION OF THE 2022 SPRINGFIELD FIRE CODE BY ADOPTING, AMENDING, OR ADDING
-

SECTIONS OF THE 2021 INTERNATIONAL FIRE CODE (IFC) AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL AND AS ADOPTED AND AMENDED BY THE STATE OF OREGON AS THE 2022 OREGON FIRE CODE (OFC)

5. Other Routine Matters

- a. Appoint one (1) Chris Rohaley to the Springfield Arts Commission with a full-term with an expiration ending December 31, 2027.
- b. Appoint Mahala Ruddell to a full four-year term to the Museum Advisory Committee, ending December 31, 2027 and Reappoint Megan England to a full four-year term, ending December 31, 2027.
- c. Appoint John Aaron and Reappoint Sami Allen, and Rebecca Cashero to the Community Development Advisory Committee with a term ending December 31, 2027.
- d. Appoint Bruce Webber to the Planning Commission to fill the term which ends on December 31, 2025.
- e. Appoint Douglas Boyee, Elena Coleman, Rachel Glaeser, and Paul Metzler to the Bicycle & Pedestrian Advisory Committee for three-year terms, each ending on December 31, 2026.
- f. Appoint Roy Burling and Curtis Wyant to a full four-year term to the Library Advisory Board ending December 31, 2027 and Violet Olszyk to a partial term ending December 31, 2024.
- g. Reappoint Heather Milleher-Huerta and Angela Miceli for another full four-year term on the Library Advisory Board ending December 31, 2027.

**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. Resolution Asking the Legislature to Modify Measure 110 (The Drug Addiction and Recovery Act) and an Ordinance Prohibiting Drug Use on Public Property  
[Mary Bridget Smith] (10 Minutes)

RESOLUTION NO. 2 - A RESOLUTION ASKING THE LEGISLATURE TO MODIFY MEASURE 110 TO REINTRODUCE ACCOUNTABILITY FOR DRUG OFFENSES AND DIRECTING STAFF TO COLLABORATE WITH STATE AND LOCAL PARTNERS IN THE PURSUIT OF CONSISTENT CRIMINAL REGULATION OF CONTROLLED SUBSTANCES IN PUBLIC AND ADEQUATE RESOURCES FOR DRUG TREATMENT

**MOTION: ADOPT/NOT ADOPT RESOLUTION NO. 2**

ORDINANCE NO. 2 - AN ORDINANCE REPEALING AND REPLACING SPRINGFIELD MUNICIPAL CODE SECTION 5.256 TO ADD A PROHIBITION FOR USE OF CONTROLLED SUBSTANCES ON PUBLIC PROPERTY

**NO ACTION REQUESTED. FIRST READING ONLY**

- 2. FY24 Supplemental Budget 2  
[Nathan Bell] (10 Minutes)

RESOLUTION NO. 3 - A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE FOLLOWING FUNDS: SPECIAL REVENUE, VEHICLE & EQUIPMENT.

**MOTION: ADOPT/NOT ADOPT RESOLUTION NO. 3**

3. System Development Charge Commercial to Residential Conversion Policy  
[Kristina Kraaz and Stan Petroff] (05 Minutes)

RESOLUTION NO. 4 - ADOPTING A COMMERCIAL TO RESIDENTIAL CONVERSION POLICY RELATED TO THE IMPOSITION OF SYSTEM DEVELOPMENT CHARGES.

**MOTION: ADOPT/NOT ADOPT RESOLUTION NO. 4**

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

1. Letter Draft at the request of the Council to the Lane County Board of Commissioners regarding IMERF

**MOTION: ACCEPT FOR FILING AND/OR PROVIDE STAFF DIRECTION/FOLLOWUP.**

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments
2. Business from Council
- a. City Manager Compensation 2023  
[Chaim Hertz] (05 Minutes)

**MOTION: APPROVE ADJUSTING THE SALARY OF THE CITY MANAGER AS AGREED UPON IN THIS MEETING.**

- b. Committee Reports
- c. Other Business

BUSINESS FROM THE CITY MANAGER

1. Mill Street State Funding  
[Sam Kelly-Quattrocchi] (05 Minutes)

**MOTION: AUTHORIZE THE CITY MANAGER TO SIGN CONTRACT C3524.**

2. Other Business

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Work Session/Reg. Mtg  
**Staff Contact/Dept.:** Chaim Hertz/HR  
**Staff Phone No:** 541-726-3787  
**Estimated Time:** 30 Minutes  
**Council Goals:** Provide Financially Responsible and Innovative Government Services

---

**ITEM TITLE:** CITY MANAGER COMPENSATION 2023

---

**ACTION REQUESTED:** Discuss City Manager compensation and ratify a wage increase.

---

**ISSUE STATEMENT:** Nancy Newton's employment contract requires HR to meet with City Council with the intent of submitting a recommendation regarding a salary or cost of living adjustment.

---

**ATTACHMENTS:** [1. Salary Indexes for Comparison](#)  
[2. CM Compensation Survey, Fall 2023](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** According to Mrs. Newton's contract, City Council shall give consideration to a wage adjustment on an annual basis. To assist Council in that consideration, included is as an attachment is the average of four indexes to determine what, if any, amount of a cost of living adjustment to recommend to City Council (ATT1). The overall average of these indices is 5.65%.

Though not required by contract, HR also reviewed the compensation of City Managers in similarly sized Oregon cities (ATT2). This data gives us a benchmark to measure the market competitiveness of Mrs. Newton's wage. According to the larger sample salary survey data, Mrs. Newton's total compensation package is currently 10.3% below market median.

Considering the index information and the comparable market data, Council should consider but is not limited to the following possible options regarding an adjustment to the City Managers compensation.

1. A wage increase based on the average annual index of 5.65%, retroactively applied to the 7/1/23 pay period with a FY24 budget impact of \$12,281.
  2. A wage increase that include an adjust for the average annual (5.65%) and an additional market adjustment of 4.65% to stay market competitive, retroactively applied to the 7/1/23 pay period with a FY24 budget impact of \$22,388
  3. A wage increase based on the average annual index of 5.65%, retroactively applied to the 7/1/23 and an additional market adjustment of 4.65% applied 1/1/24 with a FY24 budget impact of \$17,620.
-

Base Salary Increases	2023 Actual
Social Security Cost of Living Adjustment (2023)	8.70%
Public Administrators National Index (2023)	4.00%
Wester Officers/Executives (2023)	4.60%
Oregon Officers/Executives (2022)	5.30%
Average	5.65%

## City Manager Compensation Study - September 2023

Agency	Population	Base Wage	Deferred Comp	PERS PICKUP	VEBA	Car Stipend	Cell Phone Stipend	Adjusted Wage	Ranking	% Gap
*Eugene	178,259	\$23,863	\$1,250	\$1,432	\$0	\$498	\$65	\$27,108	1	46.9%
Beaverton	99,464	\$22,676	\$0	\$1,361	\$680	\$500	\$0	\$25,217	2	36.7%
Tigard	55,539	\$19,450	\$2,139	\$1,361	\$83	\$500	\$396	\$23,929	3	29.7%
Bend	102,834	\$17,682	\$1,500	\$1,061	\$333	\$300	\$80	\$20,956	4	13.6%
<b>Median</b>	<b>73,896</b>	<b>\$18,319</b>	<b>\$1,500</b>	<b>\$1,061</b>	<b>\$250</b>	<b>\$498</b>	<b>\$75</b>	<b>\$20,350</b>		<b>10.3%</b>
Corvallis	59,434	\$18,319	\$0	\$1,099	\$250	\$0	\$75	\$19,744	5	7.0%
Medford	88,357	\$16,810	\$504	\$1,009	\$500	\$500	\$65	\$19,388	6	5.1%
Albany	57,322	\$16,383	\$1,311	\$983	\$0	\$0	\$80	\$18,757	7	1.7%
Springfield	62,189	\$16,467	\$659	\$988	\$0	\$290	\$45	\$18,448	8	

\* Not Included in Median Calculation

---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Work Session  
**Staff Contact/Dept.:** Kristi Krueger/DPW  
**Staff Phone No:** 541-726-4584  
**Estimated Time:** 40 Minutes  
**Council Goals:** Maintain and Improve  
Infrastructure and  
Facilities

---

**ITEM TITLE:** CAPITAL STREET BOND

---

**ACTION  
REQUESTED:** Finalize general obligation bond package to support street preservation and repair  
and provide direction to staff.

---

**ISSUE  
STATEMENT:** In 2018, voters approved a five-year \$10 million street bond which allowed for the  
preservation and rehabilitation of 4.7 miles of collector and arterial streets. The  
2018 bond package has now been constructed and at the direction of the City  
Council, staff evaluated the street conditions report, prepared a list of potential  
projects, were given feedback from Council at the Sept. 25<sup>th</sup> work session, and are  
presenting a final list for consideration to propose to voters in May of 2024.

---

**ATTACHMENTS:** 1. Council Briefing Memorandum

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** At the April 3<sup>rd</sup> work session, staff discussed the City's budget condition for street  
preservation and the need for additional funding. Revenues the City receives  
through state transportation apportionment and local 3 cent/ gallon gas tax cover  
operations, general maintenance, and a small residential street slurry seal program.  
However, these revenues do not allow for funding a capital preservation program to  
continue to address the backlog of street repairs or maintain the status quo.

Staff reviewed the street conditions report as well as public input submitted through  
the Capital Improvement Project Request forms, compiled a street preservation/full  
reconstruction potential bond package list for Council consideration which was  
presented at the September 25<sup>th</sup> Council meeting. Staff has prepared a final list for  
Council consideration.

---



**MEMORANDUM**

City of Springfield

---

**Date:** 12/4/2023  
**To:** Nancy Newton, City Manager **COUNCIL**  
**From:** Kristi Krueger P.E., Capital Engineering Manager **BRIEFING**  
**Subject:** CAPITAL STREET BOND **MEMORANDUM**

---

**ISSUE:** In 2018, voters approved a five-year \$10 million street bond which allowed for the preservation and rehabilitation of 4.7 miles of collector and arterial streets. The 2018 bond package has now been constructed and at the direction of the City Council, staff evaluated the street conditions report, prepared a list of potential projects, were given feedback from Council at the Sept. 25<sup>th</sup> work session, and are presenting a final list for consideration to propose to voters in May of 2024.

---

**COUNCIL GOALS/****MANDATE:**

Maintain and Improve Infrastructure and Facilities

---

**BACKGROUND:**

At the September 25<sup>th</sup> work session, staff presented a proposed 2024 street preservation obligation bond package as directed by Council from the April 3<sup>rd</sup> work session. Staff presented the recommended list below after reviewing the pavement conditions report, citizen comments from the Capital Improvement Program request forms, street locations, street classifications, and costs. The cost estimates included preliminary and construction engineering, required ADA upgrades, right-of-way impacts, and construction.

After reviewing the preservation and full reconstruction options, staff narrowed down the locations to six.

- Harlow Rd. is a minor arterial on the north side of Guy Lee Elementary School and was chosen as the pavement is quickly deteriorating and if left much longer will result in a full reconstruction.
- Aspen St. is a minor collector in a residential area in front of Centennial Elementary school. The City has received significant complaints from citizens regarding the condition of Aspen. The City and Lane County have executed an Intergovernmental Agreement that transfers \$415,000 to the City from Lane County for improvements to Aspen St. upon annexation and jurisdictional transfer of the street. The project would preserve the street and provide a sidewalk in front of the Centennial Elementary school.
- G Street is a major collector on the south side of McKenzie-Willamette hospital in a residential area.
- 36<sup>th</sup> Street is a minor collector serving commercial, residential, and industrial areas. The surface is delaminating and needs to be overlaid before full reconstruction is needed.
- Daisy Street from 51<sup>st</sup> Street to Bob Straub Pkwy is a minor collector in a residential area and is part of a larger preservation project. The first section from 42<sup>nd</sup> St. to 51<sup>st</sup> St. was recently completed.
- 58<sup>th</sup> Street is a major collector in a residential area that runs on the west side of Thurston High School. SUB Water is currently improving their water lines on the most southern end and will be improving portion of the street in that section.

After Council discussion and feedback, staff reviewed the Mohawk Blvd.: Westbound ramp to ‘Q’ St./Mohawk Blvd. signal location in Ward 3 to replace the G Street: 10<sup>th</sup> St. to 23<sup>rd</sup> St. location. Due to the sanitary sewer trunk line that needs significant improvements and the disruption it would cause to various properties, as well as the intersection analysis and improvements that are needed, staff recommends continuing discussions on temporary pavement improvements, and complete a full reconstruction of the road in the future in conjunction with the sewer and intersection upgrades.

For the survey

---

**RECOMMENDED ACTION:**

- Should Council desire to bring a funding measure before the voters at the May 2024 general election, below is the final staff recommended project list. **If any additional funds are available, funding to improve local streets.**
- Direct staff to move forward with either a bond size of \$15 Million or \$20 Million for a 5-year bond to be included in the survey that will go out to the community.

**Final Project List**

Ward	Project	Estimate
1	<b>Harlow Road:</b> I-5 to Parkway Roundabout	\$6,850,000
2	<b>Aspen Street:</b> Tamarack to Centennial	\$700,000
3	<b>G Street:</b> 10th Street to 23rd Street	\$4,100,000
4	<b>36th St.:</b> Main St. to Commercial St.	\$2,500,000
5	<b>Daisy Street:</b> 51st to Bob Straub	\$2,900,000
6	<b>58th Street:</b> Main to Roundabout	\$2,950,000
		<b>Total: \$20,000,000</b>

---

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Nathan Bell / Finance  
**Staff Phone No:** 541-726-2364  
**Estimated Time:** Consent Calendar  
**Council Goals:** Financially Responsible  
and Stable Government  
Services

---

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:** CONTRACTS OVER WINTER RECESS

---

**ACTION REQUESTED:** Adopt/Not Adopt the following Resolution: A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD CONTRACTS EXCEEDING \$100,000 AND APPROVE AMENDMENTS TO PUBLIC CONTRACTS EXCEEDING LEVELS IN SPRINGFIELD MUNICIPAL CODE SECTION 2.706(3) IN CONFORMANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THE SPRINGFIELD MUNICIPAL CODE AND OREGON PUBLIC CONTRACTING LAW DURING THE PERIOD COMMENCING DECEMBER 5, 2023 AND CONTINUING THROUGH JANUARY 1, 2024 WHILE THE COMMON COUNCIL IS IN RECESS.

---

**ISSUE STATEMENT:** During the City Council’s winter recess, the City will need to award contracts that exceed the City Manager’s signature authority and may need to approve amendments to public contracts where the amendment cost exceeds the limits imposed by Springfield Municipal Code Section 2.706 (3). These actions are normally approved by the Council. To allow City business to proceed as usual during the recess, the Council may want to authorize the City Manager to approve such actions.

---

**ATTACHMENTS:** [1: Winter Recess Contracts](#)  
[2: Resolution](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** The Municipal Code sets administrative limits on the City Manager’s signature authority to make purchases and award contracts. Council authorization is required for amounts greater than the intermediate threshold. Section 2.706(3) of the Springfield Municipal Code prohibits amendments to public contracts where the amendment cost exceeds certain limits imposed by the Code except in certain cases of City Council approval. For the duration of the Council’s 2023-2024 winter recess, staff suggests that the Council authorize the City Manager to approve competitive bid contracts that exceed the intermediate procurement threshold, Requests for Proposals, other personal services contracts exempt from bidding requirements under the purchasing regulations, and to approve amendments to public contracts where the amendment cost exceeds the limits imposed by Section 2.706 (2)(c) without Council approval. All expenditures have been budgeted and all purchasing provisions of the Municipal Code are to be followed. City Manager authorization will allow projects to stay on schedule, public service to continue uninterrupted, and limit the City’s exposure.

---

The following is a list of winter recess contract awards currently anticipated. Other contracts or amendments may come up during the recess time that will be needed to be actioned.

Project Name	Approximate Dollar Value	Department	Contact	Date contract would be ready for award:
Downtown Parking Program Contract	\$130,000	DPW	Tonya Kling	Dec-24
Apparatus Maintenance Contract	\$500,000	FLS	Tammy Smith	Dec-24
FireMed Administration Contract	\$150,000	FLS	Tammy Smith	Dec-24
White Bird CAHOOTS Services Contract	\$266,000	POL	Jessica Crawford	Dec-24
PeopleSoft Managed Services Contract	\$104,000	FIN	Nathan Bell	Dec-24

**CITY OF SPRINGFIELD, OREGON  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD CONTRACTS EXCEEDING \$100,000 AND APPROVE AMENDMENTS TO PUBLIC CONTRACTS EXCEEDING LEVELS IN SPRINGFIELD MUNICIPAL CODE SECTION 2.706(3) IN CONFORMANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THE SPRINGFIELD MUNICIPAL CODE AND OREGON PUBLIC CONTRACTING LAW DURING THE PERIOD COMMENCING DECEMBER 5, 2023 AND CONTINUING THROUGH JANUARY 1, 2024 WHILE THE COMMON COUNCIL IS IN RECESS.**

**WHEREAS**, Springfield Municipal Code (SMC) section 2.704(1)(a), "Contracting Authority and Responsibilities," limits the City Manager's authority to make purchases and award contracts to those less than \$100,000, without additional authorization from the City Council acting as the local contract review board;

**WHEREAS**, SMC 2.706(3) and 2.706(4) prohibit amendments to public contracts where the amendment cost exceeds certain limits, except when approved by the City Council acting as the local contract review board;

**WHEREAS**, delaying approval for all purchases and agreements until the Council meeting on January 2, 2024 may waste valuable time, increase the City's exposure to delays, increase costs, and reduce public service;

**WHEREAS**, there may occur the need to execute contracts exceeding \$100,000 for which funds have been budgeted and that for reasons of public welfare, safety, and cost effectiveness need to be awarded during the Council's winter recess commencing December 5, 2023 and continuing through January 1, 2024; and

**WHEREAS**, there may occur the need to amend contracts where the amended cost exceeds certain specified limits during the Council winter recess commencing December 5, 2023 and continuing through January 1, 2024,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD AS FOLLOWS:

Section 1: The City Manager is hereby authorized to award the following contracts and contract amendments for which funds have been budgeted, and that for reasons of public welfare, safety, and cost effectiveness need to be awarded during the Council's winter recess, provided that all other applicable requirements in the Springfield Municipal Code and Oregon Public Contracting Code are followed:

- A. Contracts in excess of \$100,000 based on competitive sealed bids or competitive sealed proposals;
- B. Contracts in excess of \$100,000 that are otherwise exempt from being awarded based on competitive sealed bids or competitive sealed proposals by applicable provisions of the Springfield Municipal Code or Oregon Public Contracting Code; and
- C. Amendments to contracts that exceed the monetary limits imposed by SMC 2.706(3); including but not limited to these set forth on the attached Project/Contract Summary.

Section 2: The authorization provided in Section 1 supplements and is in addition to, and not in lieu of, the City Council's authority.

Section 3: This Resolution will take effect on December 5, 2023 and expires after January 1, 2024.

Adopted by the Common Council of the City of Springfield this 4th day of December 2023 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

ATTEST:

\_\_\_\_\_  
AJ Nytes, City Recorder

---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Kristina Kraaz/CAO  
**Staff Phone No:** 541-744-4061  
**Estimated Time:** Consent  
**Council Goals:** Strengthen Public Safety  
by Leveraging  
Partnerships and  
Resources

---

**ITEM TITLE:** FIRE CODE ORDINANCE CORRECTIONS

---

**ACTION  
REQUESTED:** Conduct a second reading and adopt/not adopt the following ordinance:  
AN ORDINANCE TO AMEND ORDINANCE NO. 6458 RELATING TO THE  
ADOPTION OF THE 2022 SPRINGFIELD FIRE CODE BY ADOPTING,  
AMENDING, OR ADDING SECTIONS OF THE 2021 INTERNATIONAL FIRE  
CODE (IFC) AS PROMULGATED BY THE INTERNATIONAL CODE  
COUNCIL AND AS ADOPTED AND AMENDED BY THE STATE OF  
OREGON AS THE 2022 OREGON FIRE CODE (OFC)

---

**ISSUE  
STATEMENT:** The City Attorney's Office and Eugene Springfield Fire Marshal recommend the  
City Council adopt minor changes to the Springfield Fire Code as adopted by  
Ordinance 6458 on June 5, 2023, to clarify the fire code requirements and to  
maintain consistent regulation between the cities of Eugene and Springfield.

---

**ATTACHMENTS:** [1: Ordinance Amending Ordinance No. 6458 with Exhibit A](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** The City of Springfield adopted Ordinance 6458 on June 5, 2023, to adopt the 2021  
Edition of the International Fire Code with Amendments provided in the 2022  
Oregon Fire Code and additional amendments specific to the cities of Eugene and  
Springfield.

Following adoption of Ordinance 6458, the Eugene Springfield Fire Marshal recommended additional minor changes to the adopted fire code to clarify certain definitions and requirements and improve readability and organization of the code. The amendments proposed to Ordinance 6458 are already effective in the City of Eugene and the City Attorney's Office recommends adoption of the proposed amendments to maintain consistent fire code administration across the cities of Eugene and Springfield.

A first reading of this Ordinance was conducted November 20, 2023.

This Ordinance shall take effect 30 days following its adoption by the Council and approval by the Mayor.

---

**CITY OF SPRINGFIELD, OREGON  
ORDINANCE NO. \_\_\_\_\_ (GENERAL)**

AN ORDINANCE TO AMEND ORDINANCE NO. 6458 RELATING TO THE ADOPTION OF THE 2022 SPRINGFIELD FIRE CODE BY ADOPTING, AMENDING, OR ADDING SECTIONS OF THE 2021 INTERNATIONAL FIRE CODE (IFC) AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL AND AS ADOPTED AND AMENDED BY THE STATE OF OREGON AS THE 2022 OREGON FIRE CODE (OFC)

**WHEREAS**, the City of Springfield is designated by the Oregon State Fire Marshal’s Office as an Partial Exempt jurisdiction; therefore, the Eugene Springfield Fire Department is responsible for administering fire regulations within the jurisdictional boundaries of the City of Springfield;

**WHEREAS**, on June 5, 2023, Common Council adopted Ordinance 6458, which was effective August 1, 2023:

AN ORDINANCE ADOPTING THE 2022 SPRINGFIELD FIRE CODE BY ADOPTING, AMENDING, ADDING, OR SECTIONS OF THE 2021 INTERNATIONAL FIRE CODE (IFC) AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, AND AS ADOPTED AND AMENDED BY THE STATE OF OREGON AS THE 2022 OREGON FIRE CODE (OFC), WITH AN EFFECTIVE DATE OF OCTOBER 1, 2022 AS AUTHORIZED BY ORS 476.030 AND ADOPTED BY OAR 837, DIVISION 40 IS HEREBY ADOPTED, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; THEREFORE, REPEALING ORDINANCE NO. 6427 ADOPTED JUNE 28<sup>TH</sup>, 2021; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, the Eugene-Springfield Fire Marshal recommends minor changes to Ordinance 6458 to clarify and correct certain provisions as provided in Exhibit A attached hereto, for the purpose of conforming Ordinance 6458 with the Fire Code as adopted by the City of Eugene, which is in the best interest of the City of Springfield to provide for a largely uniform Fire Code across the cities of Eugene and Springfield,

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance 6458, adopted June 5, 2023, and effective August 1, 2023, is hereby amended as set forth in Exhibit A, attached hereto and incorporated by this reference.

**Section 2.** Copies of the 2022 Springfield Fire Code Amendments and the 2022 Oregon Fire Code, as amended by this ordinance, will be placed on file in the office of the Eugene-Springfield Fire Department, the City Recorder's office of the City of Springfield, and the City of Springfield Public Library.

**Section 3.** Except as explicitly provided in Section 1 above, Ordinance 6458 shall continue in full force and effect.



**Section 4.** 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 portions thereof.

**ADOPTED** by the Common Council of the City of Springfield this \_\_\_\_\_ day of November, 2023, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

**APPROVED** by the Mayor of the City of Springfield this \_\_\_\_\_ day of November, 2023.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Recorder

## EXHIBIT A

*Commentary:* Modifications to the 2022 Oregon Fire Code adopted by Ordinance 6458 are shown in **blue font**. Additions to Ordinance 6458 adopted herein are shown in red underline. Deletions from Ordinance 6458 are shown in ~~strikethrough~~.

### PART I—ADMINISTRATIVE

#### Chapter 1 Scope and Administration

Chapter 1 contains provisions for the application, enforcement, and administration of subsequent requirements of the code. In addition to establishing the scope of the code, Chapter 1 identifies which buildings and structures come under its purview. Chapter 1 is largely concerned with maintaining “due process of law” in enforcing the regulations contained in the body of the code. Only through careful observation of the administrative provisions can the code official reasonably expect to demonstrate that “equal protection under the law” has been provided.

#### 1. OFC SECTION 101.1 AMENDED

[A] **101.1 Title.** These regulations adopted in OAR 837-040-0010 shall be known as the Springfield Fire Code, hereinafter referred to as “this code.”

#### 2. OFC SECTION 101.2.1 AMENDED

[A] **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. The provisions of the following appendices are adopted as part of this code: B, C, D, H, I, L, N, Q, R, S, and T.

#### 3. SECTION 102.3.1 ADDED

**102.3.1 Change of use or occupancy, notification.** The responsible party shall forward a notification of the change in occupancy to the Eugene Springfield Fire Marshal's Office to update fire department records within 30 days of the change.

**Exception:** This requirement does not apply to Group R and U occupancies.

#### 4. OFC SECTION 102.9 AMENDED

**102.9 Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official. See Section 105.5.

#### 5. ~~OFC SECTION 105.1.3 AMENDED~~

~~[A] **105.1.3 Multiple permits for the same location.** Where more than three operational permits are required for the same location, the operational permits will be grouped in a set of three and the applicant will pay the highest single fee amount among the three operational permits to be obtained according to the established fee schedule. Any subsequent operational permits required beyond the first three that were combined will be obtained by the applicant individually and the fees paid according to the established fee schedule. Should a location~~

~~require six or more operational permits, the second set of operational permits will be grouped in a set of three and the applicant will pay the highest single fee amount among the three operational permits to be obtained according to the established fee schedule. This system ensures that businesses do not face excessive fees for multiple permits required for the same location.~~

**OFC SECTION 105.1.3 AMENDED**

**[A] 105.1.3 Multiple permits for the same location.** Multiple permits for the same location. Where three operational permits are required for the same location, the applicant will not be charged for each individual permit but instead will pay the highest single fee among the three operational permits according to the adopted fee schedule. Any additional operational permits required beyond the first three will be obtained by the applicant and individually charged according to the established fee schedule. Should a location require six or more operational permits, each set of three operational permits (six, nine, twelve, etc.) will be charged according to the highest single fee amount among the three operational permits. Operational permits beyond those groups of three will be charged individually. This system is intended to ensure that businesses do not face excessive fees for multiple permits required for the same location.

**6. ~~OFC SECTION 105.5 AMENDED~~**

~~**105.5 Required operational permits.** Required operational permits shall be obtained from the Eugene Springfield Fire Marshal's Office prior to initiating any activities described in Sections 105.5A through 105.5.56.~~

**OFC SECTION 105.5 AMENDED**

**105.5 Required operational permits.** Required operational permits. In addition to any permits required by law or administrative regulation from the State of Oregon Fire Marshal, permits shall be obtained from the Eugene Springfield Fire Marshal's Office prior to engaging in the following activities and operations as set forth in Sections 105.5 through 105.5.56.

**7. OFC SECTION 105.5B AMENDED**

**105.5B Fireworks, public display of.** An operational permit for the public display of fireworks is required under ORS 480.130 to conduct a public display of fireworks. Applicants should refer to subsections 105.5B.1 through 105.5B.3 of the Springfield Fire Code to determine the type of operational permit necessary. Applicants seeking an operational permit to conduct a "general" display of fireworks, as defined in section 105.5B.3, may be required to obtain written approval from the Springfield City Manager's Office as determined by the Fire Code Official. Along with the operational permit application, a site plan, documentation of City Manager's approval, and any additional information required by Chapter 56 of the Eugene Fire Code and the 2018 edition of NFPA 1123 Code for Firework Displays must be submitted. Applications must be reviewed by the Eugene Springfield Fire Marshal's Office 60 days in advance of any general firework displays.

**8. SECTION 105.5B.1 ADDED**

~~**105.5B.1 Fireworks, special effects display.** An operational permit for special effects firework displays as defined in ORS 480.111 that includes articles containing pyrotechnic composition that are manufactured, assembled, designed, or discharged in connection with television, theater or motion picture productions, concerts, or conference centers; or used for commercial, industrial, educational, recreational or entertainment purposes.~~

**SECTION 105.5B.1 ADDED**

**105.5B.1 Fireworks, special effects display.** Fireworks, special effects display. An operational permit is required for special effects firework displays as defined in ORS 480.111 that include articles containing pyrotechnic composition that are manufactured, assembled, designed, or discharged in connection with television, theater or motion picture productions, concerts, or conference centers; or used for commercial, industrial, educational, recreational or entertainment purposes.

**9. SECTION 105.5B.2 ADDED**

**105.5B.2 Fireworks, limited display.** An operational permit for limited firework displays as defined in OAR 837-012-0720 that includes displays held outdoors limited to 1.4G fireworks labeled UN0336. Fireworks authorized by the limited permit are subject to limitation by the local fire authority and the Office of State Fire Marshal.

**10. SECTION 105.5B.3 ADDED**

**105.5B.3 Fireworks, general display.** An operational permit for general fireworks displays as defined in OAR 837-012-0720 that includes displays held outdoors, utilizing 1.3g fireworks and may include 1.4g fireworks and special effects fireworks and may only be conducted by a general display operator.

**11. OFC SECTION 105.5.3 AMENDED**

**105.5.3 Amusement Buildings.** An operational permit is required to operate special amusement buildings, such as haunted houses and similar temporary installations. See Appendix Q.

**12. OFC SECTION 105.5.17 FIRE HYDRANTS AND VALVES: NOT ADOPTED****13. OFC SECTION 105.5.19 FLOOR FINISHING: NOT ADOPTED****14. OFC SECTION 105.5.22 HAZARDOUS MATERIALS: AMENDED**

~~**105.5.22 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use, or handle hazardous materials in excess of the amounts listed in Table 105.5.22. Refer to sub-sections 105.5.22.1 through 105.5.22.6 to determine which permit type is applicable, based on the applicant's materials count.~~

**OFC SECTION 105.5.22 HAZARDOUS MATERIALS: AMENDED**

**105.5.22 Hazardous materials.** Hazardous materials. An operational permit is required to store, transport on site, dispense, use, or handle hazardous materials in excess of the amounts

listed in Table 105.5.22. Refer to sub-sections 105.5.22.1 through 105.5.22.6 to determine which permit type is applicable, based on the applicant's number of materials reported.

**15. SECTION 105.5.22.1 HAZARDOUS MATERIALS, 1 TO 4 MATERIALS REPORTED: ADDED**

**105.5.22.1 Hazardous materials, 1 to 4 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle one (1) to four (4) hazardous materials in excess of the amounts listed in Table 105.5.22.

**16. SECTION 105.5.22.2 HAZARDOUS MATERIALS, 5 TO 10 MATERIALS REPORTED: ADDED**

**105.5.22.2 Hazardous materials, 5 to 10 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle five (5) to ten (10) hazardous materials in excess of the amounts listed in Table 105.5.22.

**17. SECTION 105.5.22.3 HAZARDOUS MATERIALS, 11 TO 20 MATERIALS REPORTED: ADDED**

**105.5.22.3 Hazardous materials, 11 to 20 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle eleven (11) to twenty (20) hazardous materials in excess of the amounts listed in Table 105.5.22.

**18. SECTION 105.5.22.4 HAZARDOUS MATERIALS, 21 TO 30 MATERIALS REPORTED: ADDED**

**105.5.22.4 Hazardous materials, 21 to 30 materials reported.** An operational permit is required to store, transport on site, dispense, use or handle twenty-one (21) to thirty (30) hazardous materials in excess of the amounts listed in Table 105.5.22.

**19. SECTION 105.5.22.5 HAZARDOUS MATERIALS, 31 TO 50 MATERIALS REPORTED: ADDED**

**105.5.22.5 Hazardous materials, 31 to 50 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle thirty-one (31) to fifty (50) hazardous materials in excess of the amounts listed in Table 105.5.22.

**20. SECTION 105.5.22.6 HAZARDOUS MATERIALS, 50 OR MORE MATERIALS REPORTED: ADDED**

**105.5.22.6 Hazardous materials, 50 or more materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle fifty (50) or more hazardous materials in excess of the amounts listed in Table 105.5.22.

**21. SECTION 105.5.33 MOTOR FUEL-DISPENSING FACILITIES: NOT ADOPTED**

**22. OFC SECTION 105.5.41 PRIVATE FIRE HYDRANTS: NOT ADOPTED**

**23. OFC SECTION 105.5.44 REFRIGERATION EQUIPMENT: NOT ADOPTED**

**24. OFC SECTION 105.5.51 WASTE HANDLING: NOT ADOPTED****25. OFC SECTION 105.5.52 WOOD PRODUCTS: NOT ADOPTED****26. SECTION 105.5.53 VACANT OR ABANDONED, PREMISES, BUILDING, OR STRUCTURE SURVEY—ADDED**

An operational permit required for the Fire Marshal's Office to conduct a survey of vacant or abandoned premises, buildings or structures to determine if the property poses a clear and inimical threat to human life, safety or health.

**SECTION 105.5.53 UNIQUE CONDITIONS – ADDED**

**105.5.53 Unique conditions.** An operational permit is required for an existing or proposed activity, building or structure, or for the safety of the occupants thereof which is not specifically provided for by this code as determined by the fire code official as referenced in Section 102.9.

**27. SECTION 105.5.54 PLACES OF TEMPORARY ASSEMBLY—ADDED**

An operational permit required to allow temporary assembly occupancy in a space not normally utilized as an assembly occupancy. This permit is required when the space to be utilized has not been previously classified as or approved for Assembly use by the Building Official. This permit is not intended to substitute for compliance with code requirements for an Assembly occupancy. The issuance of a places of temporary assembly operational permit is at the sole discretion of the Fire Code Official and may include additional safeguards.

**SECTION 105.5.54 FIRE ART PERFORMANCES - ADDED**

**105.5.54 Fire Art Performances.** An operational permit is required to conduct a fire art performance in a public or private location.

**28. SECTION 105.5.55 FIRE ART PERFORMANCES—ADDED**

An operational permit is required to conduct a fire art performance in a public or private location.

**SECTION 105.5.55 VACANT OR ABANDONED, PREMISES, BUILDING, OR STRUCTURE SURVEY – ADDED**

**105.5.55 Vacant or Abandoned Premises, Building, or Structure Survey.** An operational permit is required for the Fire Marshal's Office to conduct a survey of vacant or abandoned premises, buildings, or structures to determine if the property poses a clear and inimical threat to human life, safety or health.

**29. SECTION 105.5.56 UNIQUE CONDITIONS—ADDED**

An operational permit is required for an existing or proposed activity, building or structure, or for the safety of the occupants thereof which is not specifically provided for by this code as determined by the fire code official as referenced in Section 102.9.

**SECTION 105.5.56 PLACES OF TEMPORARY ASSEMBLY – ADDED**

**105.5.56 Places of Temporary Assembly.** An operational permit is required to allow temporary assembly occupancy in a space not normally utilized as an assembly occupancy. This permit is required when the space to be utilized has not been previously classified as or approved for Assembly use by the Building Official. This permit is not intended to substitute for compliance with code requirements for an Assembly occupancy. The issuance of a places of temporary assembly operational permit is at the sole discretion of the Fire Code Official and may include additional safeguards.

### **30. SECTION 109.1.1 ACCESS TO SAFEGUARDS – ADDED**

**109.1.1 Access to safeguards.** Any device, equipment, system, condition, arrangement, level of protection, or any other feature required for compliance with the provisions of this code, or otherwise installed, shall be accessible and unobstructed.

### **31. OFC SECTION 111 – NOT ADOPTED**

#### **Chapter 2 Definitions**

All terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code. Where understanding of a term's definition is especially key to or necessary for understanding of a particular code provision, the term is shown in italics wherever it appears in the code. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known. Guidance regarding tense, gender and plurality of defined terms as well as guidance regarding terms not defined in this code are also provided.

### **32. SECTION 202, CARNIVAL - ADDED**

**CARNIVAL:** A mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon or by means of portable amusement rides, devices or temporary structures in any number or combination, whether or not it is associated with other structures or forms of public attraction.

### **33. OFC SECTION 202, FIRE CODE OFFICIAL – AMENDED**

**FIRE CODE OFFICIAL:** The Eugene Springfield Fire Marshal, or duly authorized representative, is designated as the approved authority for exercising functions relating to fire prevention, fire safety measures and the administration and enforcement of this code.

### **34. OFC SECTION 202, OPEN BURNING - AMENDED**

**OPEN BURNING:** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber or as regulated by Lane Regional Pollution Authority and Springfield Municipal Code section 5.292. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames or



recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**35. SECTION 202, FIRE ART PERFORMANCE - ADDED**

**FIRE ART PERFORMANCE:** Any act of fire juggling, fire eating, flame effects, etc. that utilizes fire for entertainment purposes, conducted in an outdoor public or private place (*other than inside a private residence*) outside of a protective housing or in ways in which it travels through the air by one person or between multiple persons.

**36. SECTION 202, PRE-INCIDENT PLAN – ADDED**

**PRE-INCIDENT PLAN:** A document developed by gathering general and detailed data that is used by responding personnel in effectively managing emergencies for the protection of occupants, responding personnel, property, and the environment.

**37. OFC SECTION 202, RECREATIONAL FIRE – AMENDED**

**RECREATIONAL FIRE:** A small fire with a total fuel area no larger than 3 feet in diameter and 2 feet in height, limited to cooking fires, campfires, and fires lit in chimineas, patio fireplaces, fire pits, or other similar appliances using charcoal, natural gas, propane, manufactured fire logs, or clean dry natural firewood as fuel, and which occurs in designated areas on public lands or on private property, and not used as a means of disposal for waste materials, including woody yard trimmings, leaves, and grass clippings.

**38. SECTION 202, RED FLAG WARNING – ADDED**

**RED FLAG WARNING:** A term used by fire-weather forecasters to call attention to limited weather conditions of particular importance that may result in extreme burning conditions. Red flag warnings are issued for ongoing events, or when the fire weather forecaster has a high degree of confidence that Red Flag criteria will occur within 24 hours of issuance.

**39. SECTION 202, RED FLAG CRITERIA - ADDED**

**RED FLAG CRITERIA:** Red Flag Criteria occurs whenever a geographical area has been in a dry spell for a one to two weeks, or for a shorter period, if before spring green-up or after fall color, and the National Fire Danger Rating System (NFDRS) is high to extreme and the following forecast weather parameters are forecasted to be met:

- 1) a sustained wind average 15 mph or greater
- 2) relative humidity less than or equal to 25 percent and
- 3) a temperature of greater than 75 degrees F. In some states, dry lightning and unstable air are criteria. A Fire Weather Watch may be issued prior to the Red Flag Warning.

**40. SECTION 202, KEYHOLDER – ADDED**

**KEYHOLDER:** A person or agency who has been designated as the responsible party and after hours point of contact to provide access to all areas of a property, building, or structure.



Keyholders must possess the keys, key cards, door codes, alarm codes, and the requisite knowledge necessary to provide first responders the access and ability to mitigate any emergency.

**41. OFC SECTION 202, SPRINGFIELD MUNICIPAL CODE (SMC) - ADDED**

**SPRINGFIELD MUNICIPAL CODE (SMC).** The general and permanent law of the City of Springfield.

**42. OFC SECTION 202, VACANT PROPERTY – ADDED**

**VACANT PROPERTY:** Vacant property is defined as premises, buildings or structures that may be empty or unoccupied, but there exists an owner with an expressed interest in the property.

**OFC SECTION 202, VACANT PROPERTY – ADDED**

**VACANT PROPERTY:** Premises, buildings or structures that may be empty or unoccupied, but there exists an owner with an expressed interest in the property.

**43. ~~OFC SECTION 202, TRANSITIONAL PROPERTY—ADDED~~**

~~**TRANSITIONAL PROPERTY:** Transitional property is defined as premises, buildings, or structures that are in the process of changing ownership, but are uninhabited, such as the sale and transfer of ownership of a single family residential dwelling.~~

**OFC SECTION 202, TRANSITIONAL PROPERTY—ADDED**

**TRANSITIONAL PROPERTY:** Premises, buildings, or structures that are uninhabited while in the process of a change in ownership; for example, the sale and transfer of ownership of a single-family residential dwelling.

**44. ~~OFC SECTION 202, ABANDONED PROPERTY—ADDED~~**

~~**ABANDONED PROPERTY:** Abandoned property is defined as premises, buildings, or structures where there is no visible or definitive owner/landlord, or one that cannot clearly be identified or contacted.~~

**OFC SECTION 202, ABANDONED PROPERTY – ADDED**

**ABANDONED PROPERTY:** Premises, buildings, or structures where there is no visible or definitive owner/landlord, or one that cannot clearly be identified or contacted.

**PART II—GENERAL SAFETY PROVISIONS**

**Chapter 3 General Requirements**

The open burning, ignition source, vacant building, miscellaneous storage, roof gardens and land-scaped roofs, artificial combustible vegetation on buildings, outdoor pallet storage, additive manufacturing, and hazards to firefighters' requirements and precautions, among other general regulations contained in this chapter, are intended to improve premises safety for everyone, including construction workers, tenants, operations and maintenance personnel, and emergency response personnel.

**45. SECTION 305.4.1 ADDED**

**EXTREME BURNING CONDITIONS.** Use of open flames or other sources of ignition that could ignite vegetation or combustible material during a Red Flag Warning is prohibited and is considered an emergency requiring immediate abatement.

**46. OFC SECTION 308.2 AMENDED**

**Permits Required.** Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines, or processes liable to start or cause fire in or on wildfire risk areas.
4. Fire art performances.

**47. OFC SECTION 311.5 AMENDED**

**Placards.** Any vacant or abandoned premises, buildings, or structures determined to be unsafe pursuant to section 114 of this code relating to structural or interior hazards shall be placarded as required by Sections 311.5.1 through 311.5.5 of this code and any applicable policies, ordinances, or administrative orders of the City of Springfield.

**48. ~~OFC SECTION 311.5.2 AMENDED~~**

~~**Placard size and color.** The size and color of placards used to identify the status of premises, buildings, or structures in the City of Springfield shall be as follows:~~

- ~~1. UNSAFE or "U" placards shall be 24" x 24" square, red background with 2" wide white reflective border. White reflective letter "U" 18" x 18", with a 2" minimum stroke width. The letter shall be arial font or similar.~~
- ~~2. CAUTION or "C" placards shall be 24" x 24" square, orange background with 2" wide white reflective border. White reflective letter "C" 18" x 18", with a 2" minimum stroke width. The letter shall be arial font or similar.~~
- ~~3. SAFE or "S" placards shall be 24" x 24" square, green background with 2" wide white reflective border. White reflective letter "S" 18" x 18", with 2" minimum stroke width. The letter shall be arial font or similar.~~

**OFC SECTION 311.5.2 AMENDED**

**Placard size and color.** The size and color of placards used to identify the status of commercial premises, buildings, or structures in the City of Springfield shall be as follows:

1. UNSAFE or "U" placards shall be 24" x 24" square (23.875" X 23.875" nominal), with red background and a 2" wide white reflective border. The white reflective letter "U" will measure 15" x 15" with a 3" minimum stroke width. The letter shall be arial font or similar.
2. CAUTION or "C" placards shall be 24" x 24" square (23.875" X 23.875" nominal), with orange background and a 2" wide white reflective border. The white reflective letter "C"

will measure 15” x 15” with a 3” minimum stroke width. The letter shall be arial font or similar.

3. SAFE or “S” placards shall be 24” x 24” square (23.875” X 23.875” nominal), with green background and a 2” wide white reflective border. The white reflective letter “S” will measure 15” x 15” with a 3” minimum stroke width. The letter shall be arial font or similar.

#### **49. OFC SECTION 311.5.2.1 ADDED**

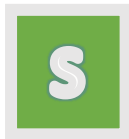
**Placard size and color.** Placard size and color. The size and color of placards used to identify the status of residential premises, buildings, or structures in the City of Springfield shall be as follows:

1. UNSAFE or “U” placards shall be 16” x 16” square (15.875” X 15.875” nominal), with red background and a 1” wide white reflective border. The white reflective letter “U” will measure 11.5” X 11.5” with a 2.25” minimum stroke width. The letter shall be arial font or similar.
2. CAUTION or “C” placards shall be 16” x 16” square (15.875” X 15.875” nominal), with orange background and a 1” wide white reflective border. The white reflective letter “C” will measure 11.5” X 11.5” with a 2.25” minimum stroke width. The letter shall be arial font or similar.
3. SAFE or “S” placards shall be 16” x 16” square (15.875” X 15.875” nominal), with green background and a 1” wide white reflective border. The white reflective letter “S” will measure 11.5” X 11.5” with a 2.25” minimum stroke width. The letter shall be arial font or similar.

#### **50. OFC SECTION 311.5.4 AMENDED**

**Placard Symbols.** The design of placards shall use the following symbols:

1. This symbol shall mean that the structure had normal structural conditions at the time of marking.



2. This symbol shall mean that structural or interior hazards exist, and interior firefighting or rescue operations should be conducted with extreme caution.



3. This symbol shall mean that structural or interior hazards exist to a degree that consideration should be given to limit firefighting to exterior operations only, with entry only occurring for known life hazards



## Chapter 4 Emergency Planning and Preparedness

Chapter 4 addresses the human contribution to life safety in buildings when a fire or other emergency occurs. The requirements for continuous training and scheduled fire, evacuation and lockdown drills can be as important as the required periodic inspections and maintenance of built-in fire protection features. The level of preparation by the occupants also improves the emergency responders' abilities during an emergency. The IBC focuses on built-in fire protection features, such as automatic sprinkler systems, fire-resistance-rated construction, and properly designed egress systems, whereas this chapter fully addresses the human element.

### 51. SECTION 401.9 ADDED

**Evacuation Required.** In the event of an activation of a fire alarm, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety, evacuation, or emergency operations plan.

Exceptions:

1. Where an occupant's disability makes the occupant unable to evacuate without assistance and no assistance is immediately available; or
2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction in the occupant's means of egress makes evacuation unsafe.

### 52. OFC SECTION 403.11.3.2 AMENDED

**Training.** Training for crowd managers shall be approved and verified by the Fire Code Official.

### 53. SECTION 403.11.4 ADDED

**Buildings containing active or passive smoke control systems.** An approved fire safety and evacuation plan in accordance with Section 404 shall be approved by the fire code official for any building containing an active or passive smoke control system. Fire safety and evacuation plans for buildings containing an active or passive smoke control system shall be reviewed annually and maintained current.

### 54. SECTION 403.11.5 ADDED

**Structures with explosion venting or prevention systems.** An approved fire safety and evacuation plan in accordance with Section 404 shall be approved by the fire code official for any structure required to have explosion (deflagration) venting or explosion (deflagration)

prevention systems. Fire safety and evacuation plans for structures required to have explosion (deflagration) venting or explosion (deflagration) prevention systems shall be reviewed annually and maintained current.

**55. ~~OFC SECTION 406.3 AMENDED~~**

~~**Employee training program.** Employees shall be trained in fire prevention, evacuation, defend-in-place procedures, emergency lockdown procedures, and fire safety in accordance with Sections 406.3.1 through 406.3.5.~~

**OFC SECTION 406.3 AMENDED**

**Employee training program.** Employees shall be trained in fire prevention, evacuation, defend-in-place, emergency lockdown training, and fire safety in accordance with Sections 406.3.1 through 406.3.5.

**56. SECTION 406.3.5 ADDED**

~~**Emergency defend-in-place training.** Where a facility has an emergency defend-in-place plan, the Facility's employees shall be trained on the alert and recall signals, communication system, location of emergency supplies, the use of the incident notification and alarm system, and their assigned duties and procedures in the event of an alarm or emergency.~~

**SECTION 406.3.5 ADDED**

**Emergency defend-in-place training.** Where a facility has a defend-in-place plan, the Facility's employees shall be trained on the alert and recall signals, communication system, location of emergency supplies, the use of the incident notification and alarm system, and their assigned duties and procedures in the event of an alarm or emergency.

**57. SECTION 408 FIRE DEPARTMENT PRE-INCIDENT PLANNING - ADDED**

**58. SECTION 408.1 ADDED**

**General.** Where required by the fire code official, a pre-incident plan shall be submitted in accordance with Section 408.2 through Section 408.2.8

**59. SECTION 408.2 ADDED**

~~**Where required by the fire code official.** An electronic file of the occupancy, structure, development or facility shall be submitted to the fire department for pre-incident planning purposes. The electronic file must conform to the specifications as described by the fire department. The electronic submittal must be received and approved by the fire code official as a condition of the fire departments recommendation that the building official approve occupancy.~~

**SECTION 408.2 ADDED**

**Fire Department Pre-Incident Plans.** Where required by the fire code official an electronic file of the occupancy, structure, development, or facility shall be submitted to the fire department for pre-incident planning purposes. The electronic file must conform to the specifications as described by the fire department. The electronic submittal must be received

and approved by the fire code official as a condition of the fire department's recommendation that the Building Official approve occupancy.

#### **60. SECTION 408.2.1 ADDED**

~~Building information card. Building Information Cards (BIC's) shall be provided in the following occupancies and facilities:~~

- ~~a) Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.~~
- ~~b) Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.~~
- ~~c) Group E.~~
- ~~d) Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.~~
- ~~e) Group H.~~
- ~~f) Group I.~~
- ~~g) Group R-1~~
- ~~h) Group R-2 college and university buildings.~~
- ~~i) Group R-4.~~
- ~~j) Group SR.~~
- ~~k) Group R occupancies subject to licensure by the state.~~
- ~~l) R occupancies where multiple buildings are located on a common podium.~~
- ~~m) High-rise buildings (buildings with an occupied floor/roof more than 75 feet above grade).~~
- ~~n) Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.~~
- ~~o) Covered malls exceeding 50,000 square feet in aggregate floor area.~~
- ~~p) Underground buildings (buildings with an occupied floor more than 30 feet below grade).~~
- ~~q) Group A, E, or M occupancies with an atrium.~~
- ~~r) Any building where the size, height, nature of the use, or other specific character creates unique hazards as determined by the fire code official.~~

~~Building Information Cards shall be located in each fire command center when provided. If no fire command center exists, the Building Information Cards shall be in a location approved by the fire code official near the Fire Alarm Control Panel. The Building Information shall include, but is not limited to, the information specified in Section 408.2.2 through Section 408.2.8.~~

#### **SECTION 408.2.1 ADDED**

Building information card. Building information card. Building Information Cards (BIC's) shall be provided in the following occupancies and facilities:

- a) Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
- b) Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- c) Group E.

- d) Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- e) Group H.
- f) Group I.
- g) Group R-1
- h) Group R-2 college and university buildings.
- i) Group R-4.
- j) Group SR.
- k) Group R occupancies subject to licensure by the state.
- l) R occupancies where multiple buildings are located on a common podium.
- m) High-rise buildings (buildings with an occupied floor/roof more than 75 feet above grade).
- n) Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- o) Covered malls exceeding 50,000 square feet in aggregate floor area.
- p) Underground buildings (buildings with an occupied floor more than 30 feet below grade).
- q) Group A, E, or M occupancies with an atrium.
- r) Any building where the size, height, nature of the use, or other specific character creates unique hazards as determined by the fire code official.

Building Information Cards shall be located in each fire command center when provided. If no fire command center exists, the Building Information Card shall be in a location approved by the fire code official near the Fire Alarm Control Panel. The Building Information Card shall include, but is not limited to, the information specified in Sections 408.2.2 through 408.2.8 of this code.

#### **61. SECTION 408.2.2 ADDED**

**General building information.** General building information shall include: property name, address, the number of floors in the building above and below grade, use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor) and the estimated building population during the day, night, and weekends.

#### **62. SECTION 408.2.3 ADDED**

~~**Building emergency contact information.** Building emergency contact information shall include: a list of the building's emergency contacts including but not limited to building manager, building engineer and their respective work phone number, cell phone number and email address.~~

#### **SECTION 408.2.3 ADDED**

**Building emergency contact information.** Building emergency contact information shall include: a list of the building's emergency contacts, and their work phone numbers, cell phone numbers and email addresses, including but not limited to the building manager and building engineer.



**63. SECTION 408.2.4 ADDED**

**Building construction information.** Building construction information shall include: the type of building construction including but not limited to floors, walls, columns and roof assemblies.

**64. SECTION 408.2.5 ADDED**

~~**Exit stairway information.** Exit access stairways and exit stairway information shall include; the number of exit access stairways and exit stairways in the building; each exit access stairway and exit stairway designation and floors served; location where each exit access stairway and exit stairway discharges, interior exit stairways that are pressurized; exit stairways provided with emergency lighting; each exit stairway that allow reentry; exit stairways providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve; location of elevator machine rooms, control rooms and control spaces; location of sky lobby; and the location of freight elevator banks.~~

**SECTION 408.2.5 ADDED**

**Exit stairway information.** Exit access stairways, exit stairway, and elevator information shall include; the number of exit access stairways and exit stairways in the building; each exit access stairway and exit stairway designation and floors served; location where each exit access stairway and exit stairway discharges, interior exit stairways that are pressurized; exit stairways provided with emergency lighting; each exit stairway that allows reentry; exit stairways providing roof access; number of elevator banks; elevator bank designation; elevator car numbers and respective floors that they serve; location of elevator machine rooms; control rooms and control spaces; location of sky lobby; and the location of freight elevator banks.

**65. SECTION 408.2.6 ADDED**

**Building services and system information.** Building services and system information shall include: the location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator and location of natural gas service.

**66. SECTION 408.2.7 ADDED**

**Fire protection system information.** Fire protection system information shall include: the location of standpipes, location of fire pump rooms, location of fire department connections, floors protected by automatic sprinklers and location of different types of automatic sprinkler systems installed including but not limited to dry, wet and pre-action.

**67. SECTION 408.2.8 ADDED**

**Hazardous material information.** Hazardous material information shall include: the location and quantity of hazardous materials.



## PART III—BUILDING AND EQUIPMENT DESIGN FEATURES

### Chapter 5 Fire Service Features

The requirements of Chapter 5 apply to all buildings and occupancies and pertain to access roads, access to building openings and roofs, premises identification, key boxes, fire protection water supplies, fire command centers, fire department access to equipment, and in-building emergency responder communication system coverage.

#### 68. OFC SECTION 503.2.7 AMENDED

**Grade.** The grade of the fire apparatus access road shall be in accordance with the Springfield Municipal Code. Access roads, including public and private roads and driveways shall comply with the following:

1. The grade of access for non-sprinklered properties shall not exceed 10%.
2. The grade of access for sprinklered properties shall not exceed 12%.
3. All grades of access exceeding 12% require approval by the fire code official.

#### 69. OFC SECTION 503.6 AMENDED

~~**Security gates, bollards or other obstructions.** The installation of security gates, bollards or other obstructions across a fire apparatus access road shall be reviewed and approved by the fire code official. The use of directional limiting devices (tire spikes) is prohibited. Where security gates, bollards or other obstructions are installed, they shall have an approved means of emergency operation. The emergency operation of security gates, bollards, or other obstructions shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200 and must be equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by fire personnel from their vehicle.~~

~~**Exceptions:**~~

- ~~1. Gates shall be at a minimum as wide as the required access road width.~~
- ~~2. Gates, bollards or other obstructions on commercial properties must be set back 30 ft (9.144 m) from the roadway edge of the pavement.~~
- ~~3. Where a fence is provided on each side of a gate for a commercial property, a man door shall be provided at an approved location with a key box for access to the man door.~~
- ~~4. Automated gates equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by Fire personnel from their vehicle are not required to be set back 30 ft (9.144 mm) from the roadway edge of pavement provided the roadway is not an arterial, residential collector street or a street with lane markers.~~

#### OFC SECTION 503.6 AMENDED

**Security gates, bollards or other obstructions.** The installation of security gates, bollards or other obstructions across a fire apparatus access road shall be reviewed and approved by the fire code official. The use of directional-limiting devices (tire spikes) is prohibited. Where security gates, bollards or other obstructions are installed, they shall have

an approved means of emergency operation. The emergency operation of security gates, bollards, or other obstructions shall be maintained at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200 and must be equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by fire personnel from their apparatus.

Exceptions:

1. Gates shall be at least as wide as the required access road width.
2. Gates, bollards or other obstructions on commercial properties must be set back 30 ft. from the roadway edge of pavement.
3. Where a fence is provided on each side of a gate for a commercial property, a man door shall be provided at an approved location with a key box for access to the man door.
4. Automated gates equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by Fire personnel from their apparatus are not required to be set back 30 ft. from the roadway edge of pavement provided the roadway is not an arterial, residential collector street or a street with lane markers.

#### **70. OFC SECTION 507.5.5 AMENDED**

**Clear space around hydrants.** A 4.5 ft. (54 inches or 1.376 m) clear space, measured from the center of the hydrant nut, shall be maintained around the circumference of fire hydrants. A vertical clearance of not less than 6.8 ft. (2.074 m) shall also be maintained, except as otherwise required or approved.

#### **71. OFC SECTION 510.1 AMENDED**

**Emergency responder radio coverage in new buildings.** All new buildings, as described in Section 510.1.1 shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communications systems. Approval of a wired communication system must be documented on OSSC Form 918 in accordance with Section 918 OSSC.

**Exceptions:**

1. Where permitted by the fire code official and approved by the building official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved emergency responder radio system.
2. Where it is determined by the fire code official that the radio coverage system is not required.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

4. Where the facility is approved by the fire code official for participation in the City's mobile emergency responder radio coverage (MERRC) program.

## **Chapter 6 Building Services and Systems**

Chapter 6 focuses on building systems and services as they relate to potential safety hazards and when and how they should be installed. This chapter brings together building system and service-related issues for convenience and provides a more systematic view of buildings. The following building services and systems are addressed: electrical equipment, wiring and hazards (Section 603); elevator recall and maintenance (Section 604); fuel-fired appliances (Section 605); commercial kitchen hoods (Section 606); commercial kitchen cooking oil storage (Section 607); mechanical refrigeration (Section 608); hyperbaric facilities (Section 609); and clothes dryer exhaust systems (Section 610). Note that building systems focused on energy systems and components are addressed by Chapter 12.

## **72. OFC SECTION 606.5 AMENDED**

**Commercial cooking systems.** The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Signage shall be provided on the exhaust hood or system cabinet, indicating the type and arrangement of cooking appliances protected by the automatic fire-extinguishing system. Signage shall indicate appliances from left to right, be durable, and the size, color, and lettering shall be approved by the fire code official. Pre-engineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, NFPA 96, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. Automatic sprinkler systems, NFPA 13.
3. Automatic water mist systems, NFPA 750.
4. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
5. Dry-chemical extinguishing systems, NFPA 17.
6. Wet-chemical extinguishing systems, NFPA 17A.

**Exception:** Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled, and installed in accordance with Section 304.1 of the International Mechanical Code.

## **Chapters 7 and 8**

### **NO MODIFICATIONS TO CHAPTERS 7 AND 8**

## Chapter 9 Fire Protection and Life Safety Systems

Chapter 9 prescribes the minimum requirements for active systems of fire protection equipment to perform the functions of detecting a fire, alerting the occupants or fire department of a fire emergency, controlling smoke, and controlling or extinguishing the fire. There are provisions relating to more general life safety systems such as gas detection and associated alarms. Mass notification systems are also addressed. Generally, the requirements are based on the occupancy, the height and the area of the building, because these are the factors that most affect firefighting capabilities and the relative hazard of a specific building or portion thereof. This chapter parallels and is substantially duplicated in Chapter 9 of the IBC; however, this chapter also contains periodic testing criteria that are not contained in the IBC. In addition, the special fire protection system requirements based on use and occupancy found in Chapter 4 of the IBC are duplicated in Chapter 9 of the IFC as a user convenience.

### 73. OFC SECTION 901.4.2 AMENDED

**Nonrequired fire protection and life safety systems.** Fire protection and life safe systems or portion thereof not required by this code, or the International Building Code shall be allowed to be furnished for partial or complete protection provided that such installed systems meet the applicable requirements of this code and the International Building Code. Such systems or portion of system shall be provided with signage stating “NON-REQUIRED SYSTEM.” Signage shall be durable and permanent in nature, with contrasting color and background, and with lettering of not less than 1 inch (25.4 mm) in height. Location of such signage shall be approved by the fire code official.

### 74. OFC SECTION 901.6.3 AMENDED

~~**Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained. Fire protection and life safety system service providers shall submit all reports through The Compliance Engine (TCE) as required by the fire code official.~~

### OFC SECTION 901.6.3 AMENDED

**Records.** Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained. Fire protection and life safety system service providers shall submit all reports through The Compliance Engine (TCE) or as otherwise required by the fire code official.

### 75. SECTION 901.6.4 ADDED

~~**Excessive fire alarm (nuisance fire alarm) activations.** Preventable activations of fire alarm and life safety systems that results in the fire departments response and arrival at the occupancy of an alarm in excess of three (3) preventable alarms in a twelve (12) month period may be cited and restitution sought under the provisions this code, applicable administrative orders or ordinances of the City of Springfield.~~

### SECTION 901.6.4 ADDED

**Excessive false automatic fire alarm activation.** Excessive fire alarm (nuisance fire alarm) activations. Preventable activations of fire alarm and life safety systems that results in the fire

departments response and arrival at the occupancy of an alarm in excess of three (3) preventable alarms in a twelve (12) month period may be cited and restitution sought under the provisions this code, applicable administrative orders, or ordinances of the City of Springfield.

#### **76. OFC SECTION 901.8.2 AMENDED**

**Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where installation is not required by this code, the International Building Code, or a previously approved alternative method, or when both of the following conditions exist:

1. The hose line would not be utilized by trained personnel or the fire department.
2. The remaining outlets are not compatible with local fire department fittings.

#### **Chapters 10 through 12**

**NO MODIFICATIONS TO CHAPTERS 10 THROUGH 12**

#### **Chapters 13 through 19**

**RESERVED FOR FUTURE USE.**

#### **PART IV—SPECIAL OCCUPANCIES AND OPERATIONS**

**NO CHANGES TO PART IV AS ADOPTED BY ORDINANCE 6458**

#### **PART V—HAZARDOUS MATERIALS**

**NO CHANGES TO PART V AS ADOPTED BY ORDINANCE 6458**

#### **PART VI—REFERENCED STANDARDS**

##### **Chapter 80 Referenced Standards**

This code contains several references to standards that are used to regulate materials and methods of construction. Chapter 80 contains a comprehensive list of all standards that are referenced in this code. The standards are part of the code to the extent of the reference to the standard (see Section 102.7). Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with this code can be readily determined. The basis for code compliance is, therefore, established, and available on an equal basis to the code official, contractor, designer, and owner. Chapter 80 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards alphabetically by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based on the standard identification. The list also contains the title of the standard, the edition (date) of the standard referenced, any addenda included as part of the ICC adoption, and the section or sections of this code that reference the standard.

NFPA

~~77. OFC CHAPTER 80 ADDED~~

~~1031 – 14: Standard for Professional Qualifications for Fire Inspector and Plan Examiner~~

**OFC CHAPTER 80 ADDED**

**921 – 21: Guide for Fire and Explosion Investigations**

~~78. OFC CHAPTER 80 ADDED~~

~~1031 – 22: Standard for Professional Qualifications for Fire Investigator~~

**OFC CHAPTER 80 ADDED**

**1031 – 14: Standard for Professional Qualifications for Fire Inspector and Plans Examiner**

~~79. OFC CHAPTER 80 ADDED~~

~~921 – 21: Guide for Fire and Explosion Investigations~~

**OFC CHAPTER 80 ADDED**

**1033 – 22: Standard for Professional Qualifications for Fire Investigator**

**PART VII—APPENDICES**

**NO CHANGES TO APPENDICES AS ADOPTED BY ORDINANCE 6458**

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Mindy Linder  
**Staff Phone No:** 541-744-3388  
**Estimated Time:** Consent calendar  
**Council Goals:** Mandate

**SPRINGFIELD  
CITY COUNCIL**

---

---

**ITEM TITLE:**

ARTS COMMISSION APPLICANT APPOINTMENT

---

**ACTION**

**REQUESTED:** Appoint one (1) Chris Rohaley to the Springfield Arts Commission with a full-term with an expiration ending December 31, 2027.

---

**ISSUE**

**STATEMENT:** In response to City Council's decision for boards, commissions and committees to have nine (9) members, the Springfield Arts Commission has two (2) vacancies and one (1) applicant eligible for appointment.

There is one (1) remaining vacancy, a full term with an expiration date of December 31, 2027.

---

**ATTACHMENTS:** None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:**

The Springfield Arts Commission has two (2) vacancies. One (1) applicant applied, and one (1) applicant, Chris Rohaley was interviewed at the October 23, 2023, City Council Work Session.

The Springfield Arts Commission requests that the Council formally ratify the appointment during the regular meeting.

---

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Work Session  
**Staff Contact/Dept.:** Maddie  
McGraw/Museum  
**Staff Phone No:** 541.726.3677  
**Estimated Time:** Consent Calendar  
**Council Goals:** Mandate

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:**

APPOINT SPRINGFIELD HISTORY MUSEUM ADVISORY COMMITTEE  
APPLICANTS

---

**ACTION REQUESTED:** Appoint Mahala Ruddell to a full four-year term, ending December 31, 2027.  
Reappoint Megan England to a full four-year term, ending December 31, 2027

---

**ISSUE**

**STATEMENT:** The Springfield History Museum Advisory Committee has 2 vacant positions as of January 1, 2024, due to the terms expiring for Adam Howard and Megan England on December 31, 2023.

Megan England submitted an application as an incumbent to show her desire to serve a second term. Mayor VanGordon has provided direction to re-appoint Ms. England for a second term without interview per the Council Operating Policies and Procedures.

Two applications were received for the remaining vacant position. One applicant, Meghan Schiedel was unable to interview. Mahala Ruddell was interviewed on Oct 23, 2023.

---

**ATTACHMENTS:**

None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:**

The City received three applications during the recruitment period which closed on October 6, 2023. One applicant was unable to interview. With the appointment of Mahala Ruddell and reappointment of Megan England, the Museum Committee will be at full capacity.

The Museum Committee requests that the Council formally ratify the appointments of Mahala Ruddell and Megan England to full four-year terms ending December 31, 2027 at the December 4, 2023, Regular Session.

---



---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Erin Fifield / DPW  
**Staff Phone No:** 541-726-2302  
**Estimated Time:** consent calendar  
**Council Goals:** Encourage Economic Development and Revitalization through Community Partnerships

---

**ITEM TITLE:** COMMUNITY DEVELOPMENT ADVISORY COMMITTEE APPOINTMENTS

---

**ACTION REQUESTED:** Appoint John Aaron, Sami Allen, and Rebecca Cashero to the Community Development Advisory Committee with a term ending December 31, 2027.

---

**ISSUE STATEMENT:** The Community Development Advisory Committee (CDAC) will have 3 vacant positions on January 1, 2024 due to the expiring terms of:

- Sami Allen (finishing her first 4-year term)
- Rebecca Cashero (finishing the expiration of another member's term), and
- Isabelle Mathews (finishing her second 4-year term).

Sami and Rebecca have reapplied to serve on the CDAC, and the Mayor has provided direction to re-appoint both of them for full terms without interviews per the Council Operating Policies and Procedures.

---

Two applicants interviewed for the CDAC on November 20, 2023 for the final vacant position. Council subsequently gave direction to appoint John Aaron to serve on the CDAC.

---

**ATTACHMENTS:** None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** With these appointments, applicants will serve the following terms:

- John Aaron: January 1, 2024 – December 31, 2027 [1<sup>st</sup> term]
- Sami Allen: January 1, 2024 – December 31, 2027 [2<sup>nd</sup> term]
- Rebecca Cashero: January 1, 2024 – December 31, 2027 [1<sup>st</sup> term]

---

The existence and work of the Community Development Advisory Committee (CDAC) are important expressions of the desire for citizen participation in the City's housing and community development activities. The CDAC provides recommendations to the City Council on short- and long-term housing and community development needs, objectives, priorities and planning documents as required by federal U.S. Department of Housing and Urban Development (HUD) program regulations. The CDAC also provides recommendations to the City Council on the best use of the City's allotment of federal Community Development Block Grant (CDBG) program funds. These funds support housing programs, social services, affordable rental and home ownership housing development, neighborhood revitalization activities, parks and street construction and downtown redevelopment.

---

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Sandy Belson/DPW  
**Staff Phone No:** 541-736-7135  
**Estimated Time:** consent calendar  
**Council Goals:** Mandate

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:** PLANNING COMMISSION APPOINTMENT

---

**ACTION REQUESTED:** Appoint Bruce Webber to the Planning Commission to fill the term which ends on December 31, 2025.

---

**ISSUE STATEMENT:** The Planning Commission has one vacant position due to the resignation of Grace Bergen.

---

**ATTACHMENTS:** None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** Three people applied for the vacant position but only Bruce Webber listed the Planning Commission as his first choice. The Council interviewed him on October 23<sup>rd</sup> and gave direction to appoint him during the Council's December 4 regular session.

The seven-member Planning Commission is appointed by the City Council to make land use decisions on quasi-judicial development proposals. In doing so, the Commission must act impartially and in accordance with land use plans and regulations that have been adopted by the City Council. It also provides recommendations to the Council on legislative matters involving comprehensive planning and development code regulations. The Planning Commission serves as the Committee for Citizen Involvement whose charge is to review and approve community engagement plans for compliance with the required components of the Citizen Involvement Program for land use planning issues.

---

---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Drew Larson/DPW  
**Staff Phone No:** 541-726-3661  
**Estimated Time:** consent calendar  
**Council Goals:** Promote and Enhance our Hometown Feel while Focusing on Livability and Environmental Quality

---

**ITEM TITLE:** BICYCLE & PEDESTRIAN ADVISORY COMMITTEE APPOINTMENTS

---

**ACTION REQUESTED:** Appoint Douglas Boyee, Elena Coleman, Rachel Glaeser, and Paul Metzler to the Bicycle & Pedestrian Advisory Committee for three-year terms, each ending on December 31, 2026.

---

**ISSUE STATEMENT:** The Bicycle & Pedestrian Advisory Committee (BPAC) will have five vacant positions at the end of this year due to two existing vacancies and three positions open due to the terms ending for Bryce Mayall, Julie Johnson, and David Leedom.  
  
Five people interviewed for the BPAC on November 13, 2023. Council gave direction to appoint four of the applicants.

---

**ATTACHMENTS:** None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** Bryce Mayall, Julie Johnson, and David Leedom chose not to reapply for a second term. Appointing four new members will leave one remaining vacancy.  
  
The BPAC advises the City Council and staff on matters relating to pedestrian and bicycle planning. Members of the committee provide input on bicycle and pedestrian policies, infrastructure, programs, education and enforcement.

---

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Emily David  
**Staff Phone No:** 541-726-2235  
**Estimated Time:** Consent Calendar  
**Council Goals:** Mandate

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:**LIBRARY ADVISORY BOARD APPLICANT APPOINTMENTS

---

**ACTION****REQUESTED:**

Appoint:

1. Roy Burling to full four-year term ending December 31, 2027
2. Curtis Wyant to full four-year term ending December 31, 2027
3. Violet Olszyk to partial one year term ending December 31, 2024

Reappointment:

1. Heather Milleher-Huerta to another full four-year term, ending December 31, 2027
  2. Angela Miceli to another full four-year term, ending December 31, 2027
- 

**ISSUE****STATEMENT:**

As of January 1, 2024, the Library Advisory Board will have 5 open positions, four full term and one partial term of one year, due to the expiration of the terms of Ralene Linneman, Linda Mears, Heather Milleher-Huerta, and Angela Miceli, and the resignation of Carolyn Rebbert.

Six applications were received during the fall 2023 application period. One applicant withdrew,

Three applicants interviewed on November 13, 2023, for three open positions. Council decided to appoint Roy Burling and Curtis Wyant to full four-year terms, and Violet Olszyk to the partial on- year term ending December 31, 2024.

Two Library Advisory Board members, Heather Milleher-Huerta and Angela Miceli, reapplied and the Mayor provided direction to reappoint both for a second term without interview per the Council Operating Policies and Procedures. The terms will end December 31, 2027.

---

**ATTACHMENTS:**None

---

**DISCUSSION/  
FINANCIAL  
IMPACT:**

The appointment of Roy Burling, Curtiz Wyant and Violet Olszyk and the reappointment of Heather Milleher-Huerta and Angela Miceli will bring the Library Advisory Board to full capacity.

The Library Advisory Board requests that the Council formally ratify the appointments listed above during the December 4, 2023, regular meeting.

---

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Mary Bridget Smith/CAO  
**Staff Phone No:** 541-744-4061  
**Estimated Time:** 20 Minutes  
**Council Goals:** Strengthen Public Safety by Leveraging Partnerships and Resources

---

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:** RESOLUTION ASKING THE LEGISLATURE TO MODIFY MEASURE 110 (THE DRUG ADDICTION AND RECOVERY ACT) AND AN ORDINANCE PROHIBITING DRUG USE ON PUBLIC PROPERTY

---

**ACTION REQUESTED:**

1. Adopt Resolution asking the legislature to modify Measure 110 and directing staff to collaborate with local partners to reintroduce accountability, pass laws that will result in consistent criminal regulation of controlled substances on public property and provide adequate drug treatment resources.
2. Conduct a public hearing and first reading on an Ordinance prohibiting drug use on public property that would take effect upon the legislature addressing the underlying preemption issue (ORS 430.402).

---

**ISSUE STATEMENT:** The City of Springfield is concerned that Measure 110 (decriminalization of drug use) has negatively impacted the community's quality of life and safety and seeks to set a policy of valuing accountability and law enforcement tools in addition to Measure 110's health focused approach to addiction.

---

**ATTACHMENTS:** [1: Resolution](#)  
[2: ESF Overdose and Call Statistics](#)  
[3: Ordinance](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** Oregon is experiencing a drug addiction and overdose crisis which has resulted in death and illness, irrevocable harm to families, stress on the first responder system and a decrease in public safety. The City of Springfield recognizes that it has a role to play in addressing this crisis by implementing tools such as the newly approved adult treatment court and further seeks to expressly ask the legislature to modify Measure 110 through the resolution included in this item. It also intends to consider an ordinance prohibiting drug use on public property.

Attachment 1 is a Resolution asking the legislature to modify Measure 110 in the upcoming legislative session and directing staff to collaborate with local partners to assist with these efforts. The intent of the Resolution is to support funds for treatment and recovery while reintroducing personal accountability and law enforcement tools as a way to engage the public and address this crisis.

Attachment 2 provides ESF data on overdose calls since Measure 110.

Attachment 3 is an ordinance that would prohibit drug use on public property similar to drinking in public. Currently, ORS 430.402 preempts local governments from prohibiting drug use on public property, so the municipal court code change would only be effective upon the legislature addressing the preemption. The ordinance includes a recommended penalty of a Class B misdemeanor (maximum penalty 180 days jail/\$2,500 fine) based on input from SPD and the City Prosecutor. The code language prohibition on drinking in public has been updated but is otherwise unchanged. Since this is a first reading, Council can provide feedback and any changes can be incorporated into the second reading tentatively scheduled for January 2024.

---

**CITY OF SPRINGFIELD, OREGON  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ASKING THE LEGISLATURE TO MODIFY MEASURE 110 TO REINTRODUCE  
ACCOUNTABILITY FOR DRUG OFFENSES AND DIRECTING STAFF TO COLLABORATE WITH  
STATE AND LOCAL PARTNERS IN THE PURSUIT OF CONSISTENT CRIMINAL REGULATION  
OF CONTROLLED SUBSTANCES IN PUBLIC AND ADEQUATE RESOURCES FOR DRUG  
TREATMENT**

**WHEREAS**, in November of 2020, a majority of voters in the State of Oregon passed Measure 110, with the goals being to "expand access to drug treatment" and adopt a "health based approach to addiction and overdose" that would be more "effective, humane, and cost effective";

**WHEREAS**, Measure 110 also decriminalized possession of controlled substances removing a legal enforcement tool;

**WHEREAS**, Oregon continues to experience an addiction crisis of overdose deaths creating the pressing need for coordinated efforts to restore public health and safety among municipal, county, and state level governments;

**WHEREAS**, Eugene Springfield Fire has experienced an increase in overdose calls;

**WHEREAS**, currently, there are few sobering facility options in Springfield for first responders to take individuals who are intoxicated by controlled substances, leaving first responders with the limited options of taking individuals to hospitals when there is an imminent health crisis requiring medical treatment or jails if a crime has been committed;

**WHEREAS**, the legislature has formed a Joint Interim Committee on Addiction and Community Safety Response to evaluate Measure 110's effectiveness and potentially bring reform measures in the upcoming legislative session scheduled to begin in February 2024;

**WHEREAS**, the Springfield community is engaged about Measure 110 impacts as demonstrated by a Springfield City Club program about the topic and the Springfield Chamber of Commerce Round Table Conversations where experts and interested community members in business, the nonprofit sector, behavioral health and law enforcement gathered to learn about and discuss their experience and views about drug use in Springfield;

**WHEREAS**, the City acknowledges that addressing the increase in addiction also necessitates the provision of adequate treatment and sobering resources to affected individuals;

**WHEREAS**, the City supports using accountability tools like prohibitions on illicit drug use in public and treatment courts in conjunction with a health based approach to addiction and overdose;

**WHEREAS**, the City is committed to supporting and advocating for Lane County to seek appropriate funding and address these challenges with the urgency that the health and safety of our community demands.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD:

Section 1: The City Council hereby requests that the Oregon Legislature take all necessary action to modify Measure 110 to reintroduce accountability for drug offenses.

Section 2: City staff is hereby directed to pursue partnerships with other Oregon local governments and the state legislature to collaborate on solutions to address the substantial impact of public consumption of controlled substances on community safety and public health.

Section 3: City staff is hereby directed to collaborate toward the following objectives:

- (a) Continue to support and advocate for state funding to Lane County to expedite treatment programs and sobering facilities, ensuring that appropriate options are available to first responders when they encounter a person who is intoxicated by controlled substances.
- (b) Continue to support and advocate for appropriate funding to ensure the local law enforcement and Lane County can meet the demands of individuals arrested for committing crimes that contribute to the public health and safety crisis, including distribution and ingestion of controlled substances.
- (c) State legislation that aligns with existing regulations governing alcohol and cannabis to make the public consumption of controlled substances, as delineated by ORS 475.005, prohibited by law.
- (d) State legislation that amends ORS 430.402 to empower local governments to enact and enforce laws that recognize the impact of public consumption of controlled substances on the health and safety of our community.

Section 4: This Resolution will take effect upon adoption by the Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Springfield this \_\_\_\_ day of December, 2023, by a vote of \_\_\_\_\_ for and \_\_\_\_ against.

ATTEST:

\_\_\_\_\_  
City Recorder



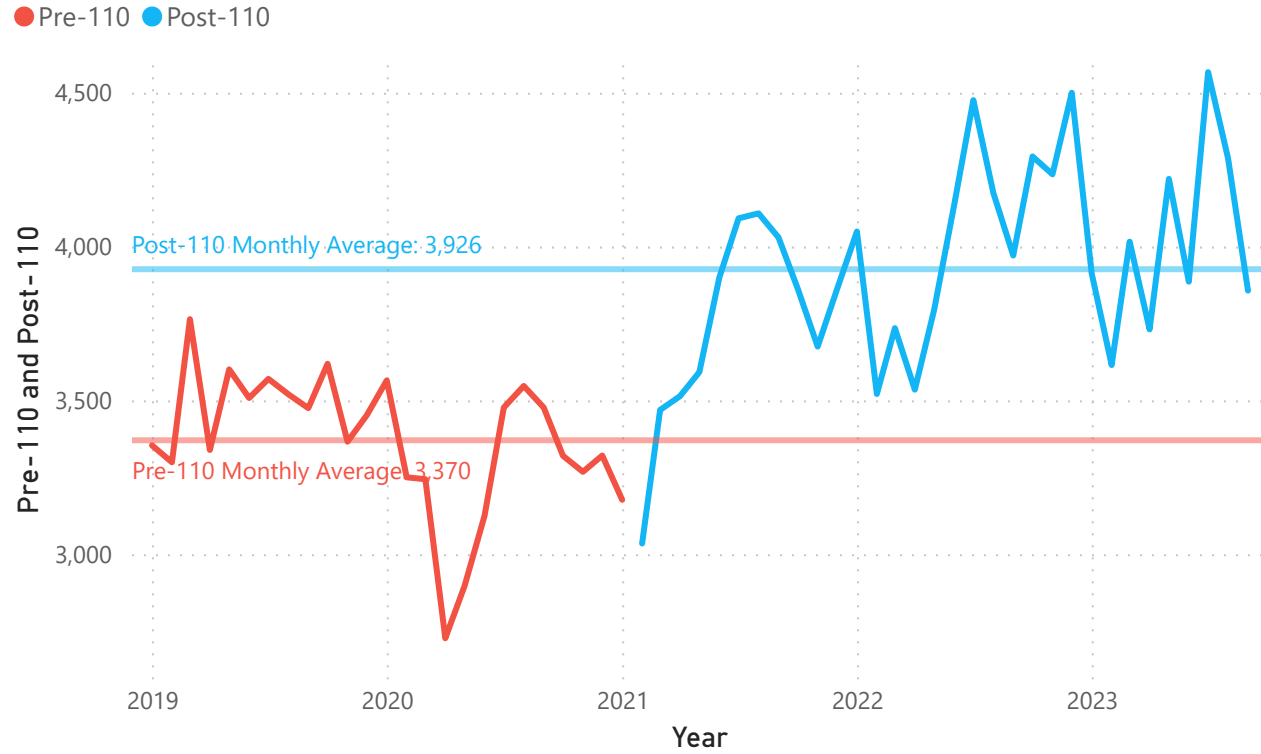
# Measure 110 Impact Report

## Department Overview

9/26/2023

**FIRE**

### Overall Call Volume by Month



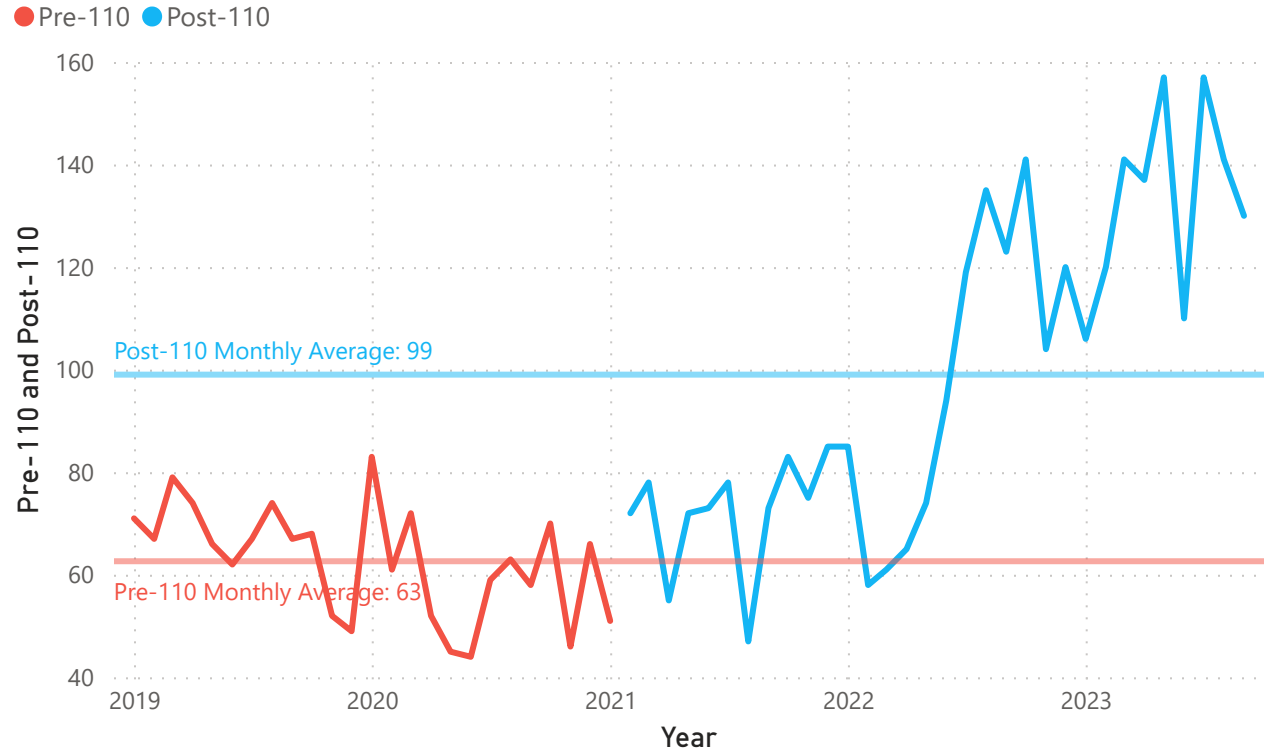
### Overall Call Volume by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	3354	3299	3764	3339	3601	3508	3570	3520	3475	3619	3366	3452
2020	3565	3250	3244	2727	2897	3125	3477	3547	3477	3320	3268	3321
2021	3177	3035	3469	3514	3592	3899	4092	4108	4030	3863	3675	3861
2022	4049	3521	3735	3535	3794	4133	4476	4175	3971	4293	4235	4500
2023	3913	3615	4016	3731	4220	3886	4567	4287	3857			

### Overdose Call Volume

Overdoses are identified based on the information provided to dispatch during the initial 911 call and are categorized prior to units arriving on-scene. The actual situation found on-scene may differ from the situation reported to dispatch.

### Overdose Call Volume by Month



### Overdose Call Volume by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	71	67	79	74	66	62	67	74	67	68	52	49
2020	83	61	72	52	45	44	59	63	58	70	46	66
2021	51	72	78	55	72	73	78	47	73	83	75	85
2022	85	58	61	65	74	94	119	135	123	141	104	120
2023	106	120	141	137	157	110	157	141	130			



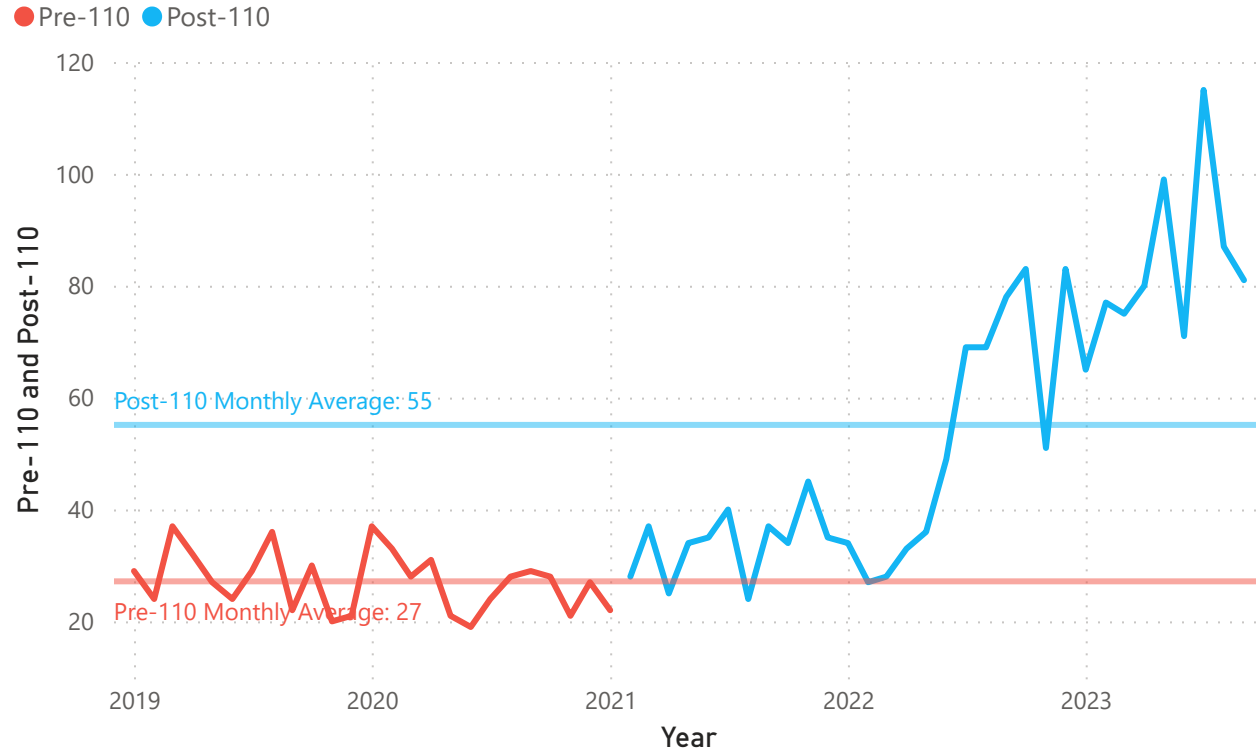


# Measure 110 Impact Report

## Department Patient Outcome

9/26/2023

### Overdose with No Transport by Month



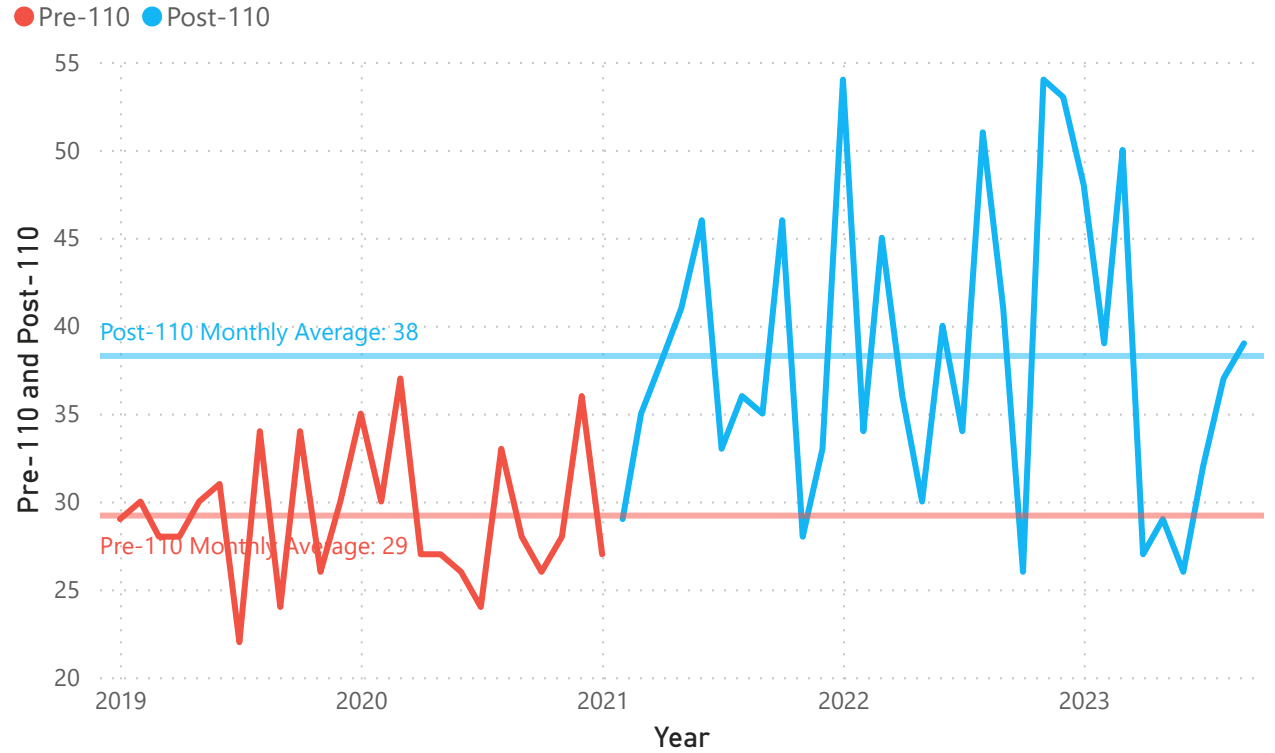
### Overdose with No Transport by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	29	24	37	32	27	24	29	36	22	30	20	21
2020	37	33	28	31	21	19	24	28	29	28	21	27
2021	22	28	37	25	34	35	40	24	37	34	45	35
2022	34	27	28	33	36	49	69	69	78	83	51	83
2023	65	77	75	80	99	71	115	87	81			

### Deaths

Incidents are only counted if Eugene Springfield Fire was dispatched and the individual was pronounced deceased prior to transferring care to the hospital, if transport occurred. The reported deaths below are not necessarily related to overdoses.

### Overall Deaths by Month



### Overall Deaths by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	29	30	28	28	30	31	22	34	24	34	26	30
2020	35	30	37	27	27	26	24	33	28	26	28	36
2021	27	29	35	38	41	46	33	36	35	46	28	33
2022	54	34	45	36	30	40	34	51	41	26	54	53
2023	48	39	50	27	29	26	32	37	39			

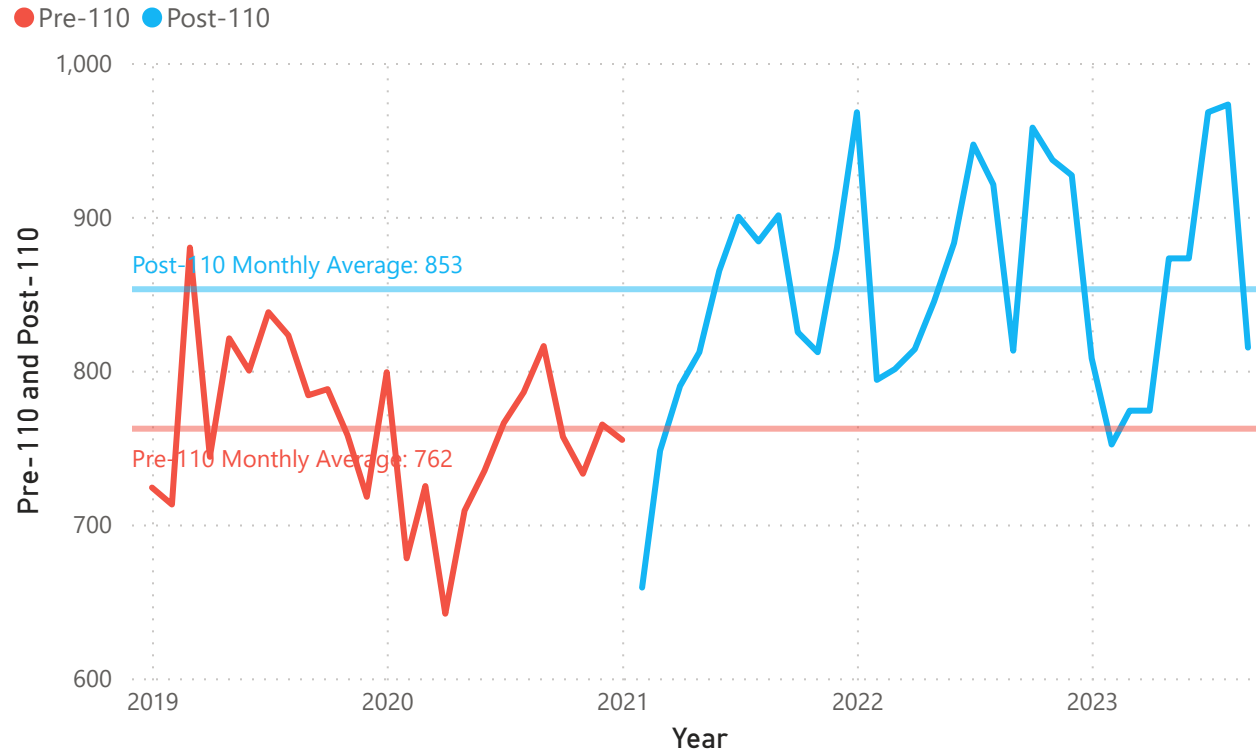


# Measure 110 Impact Report

## Springfield Overview

9/26/2023

### Overall Call Volume by Month



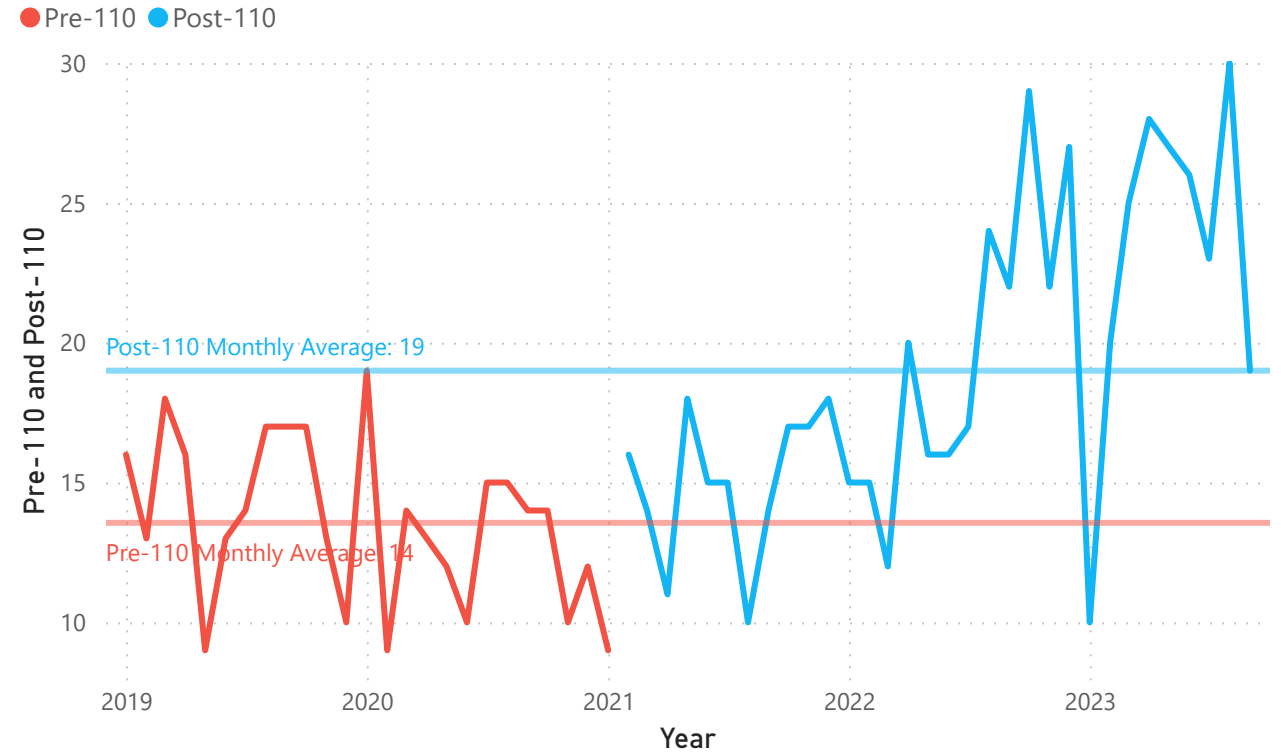
### Overall Call Volume by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	724	713	880	744	821	800	838	823	784	788	758	718
2020	799	678	725	642	709	735	766	786	816	757	733	765
2021	755	659	748	790	812	865	900	884	901	825	812	880
2022	968	794	801	814	845	883	947	921	813	958	937	927
2023	808	752	774	774	873	873	968	973	815			

### Overdose Call Volume

Overdoses are identified based on the information provided to dispatch during the initial 911 call and are categorized prior to units arriving on-scene. The actual situation found on-scene may differ from the situation reported to dispatch.

### Overdose Call Volume by Month



### Overdose Call Volume by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	16	13	18	16	9	13	14	17	17	17	13	10
2020	19	9	14	13	12	10	15	15	14	14	10	12
2021	9	16	14	11	18	15	15	10	14	17	17	18
2022	15	15	12	20	16	16	17	24	22	29	22	27
2023	10	20	25	28	27	26	23	30	19			

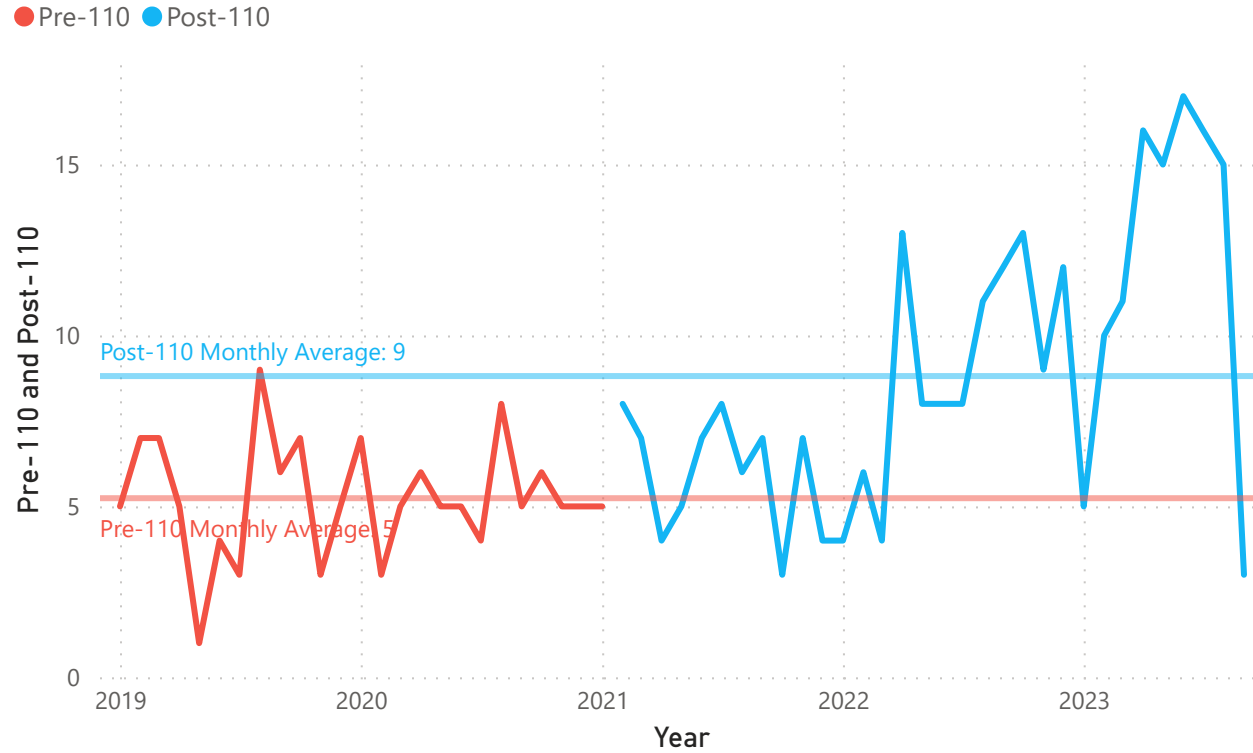


# Measure 110 Impact Report

## Springfield Patient Outcome

9/26/2023

### Overdose with No Transport by Month



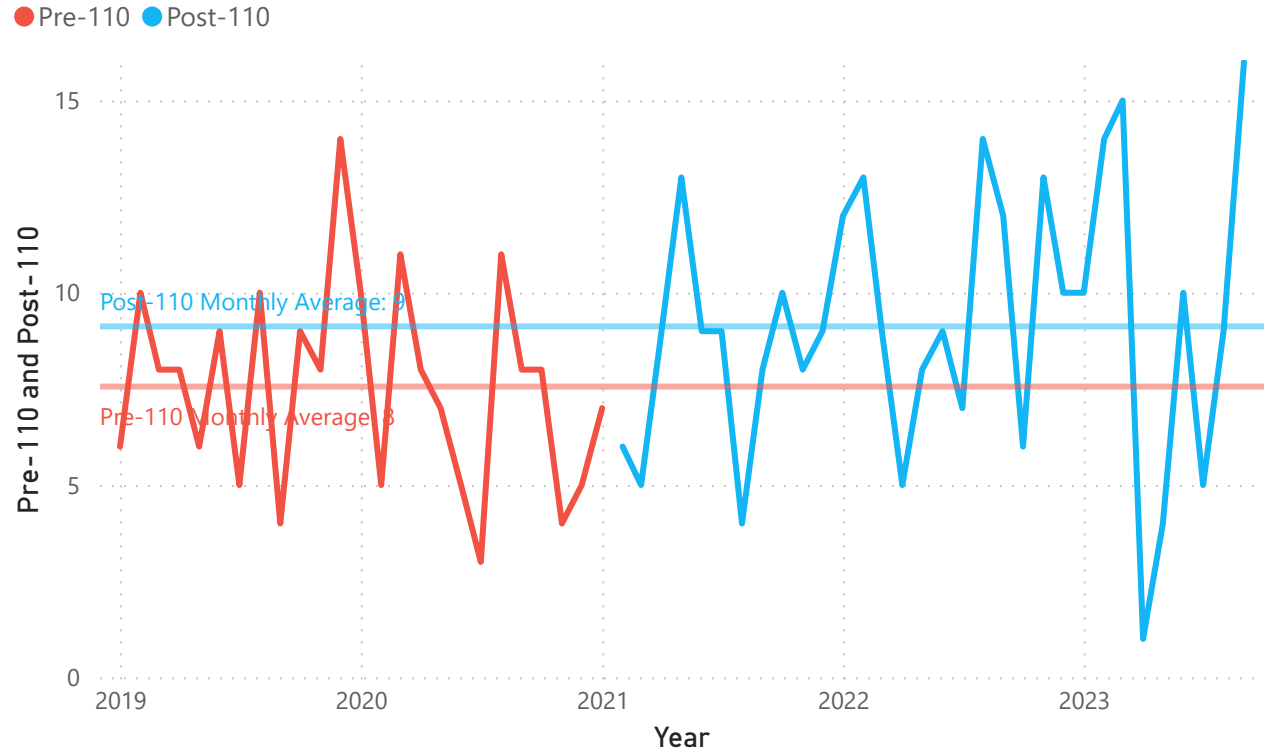
### Overdose with No Transport by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	5	7	7	5	1	4	3	9	6	7	3	5
2020	7	3	5	6	5	5	4	8	5	6	5	5
2021	5	8	7	4	5	7	8	6	7	3	7	4
2022	4	6	4	13	8	8	8	11	12	13	9	12
2023	5	10	11	16	15	17	16	15	3			

### Deaths

Incidents are only counted if Eugene Springfield Fire was dispatched and the individual was pronounced deceased prior to transferring care to the hospital, if transport occurred. The reported deaths below are not necessarily related to overdoses.

### Overall Deaths by Month



### Overall Deaths by Month

Year	January	February	March	April	May	June	July	August	September	October	November	December
2019	6	10	8	8	6	9	5	10	4	9	8	14
2020	10	5	11	8	7	5	3	11	8	8	4	5
2021	7	6	5	9	13	9	9	4	8	10	8	9
2022	12	13	9	5	8	9	7	14	12	6	13	10
2023	10	14	15	1	4	10	5	9	16			

**CITY OF SPRINGFIELD, OREGON**  
**ORDINANCE NO. \_\_\_\_\_ (General)**

**AN ORDINANCE REPEALING AND REPLACING SPRINGFIELD MUNICIPAL CODE  
SECTION 5.256 TO ADD A PROHIBITION FOR USE OF CONTROLLED SUBSTANCES ON  
PUBLIC PROPERTY**

**WHEREAS**, legislative policy recognizes both alcoholism and drug addiction as diseases, reflecting a commitment to a health-centered approach to these issues;

**WHEREAS**, the opioid epidemic, exacerbated by substances like Oxycontin, fentanyl, and counterfeit fentanyl, frequently involves opioids categorized as controlled substances under ORS 475.005;

**WHEREAS**, Eugene Springfield Fire has experienced an increase in overdose calls;

**WHEREAS**, Oregon continues to experience an escalating trend of overdose deaths accentuating the pressing need for coordinated efforts to restore public health and safety among municipal, county, and state level governments;

**WHEREAS**, the public consumption of these controlled substances has subjected the general public to unnecessary risks through exposure to fumes resulting from smoking dangerous mixtures of drugs and other substances, as well as the presence of fentanyl-contaminated drug paraphernalia in public areas;

**WHEREAS**, state law acknowledges the importance of regulating public behaviors, evident in its prohibition of the public consumption of alcohol and cannabis;

**WHEREAS**, the possession of alcohol and cannabis is legal in Oregon, and the possession of small amounts of certain controlled substances has been decriminalized;

**WHEREAS**, current state law neither prohibits the public consumption of controlled substances, nor allows local governments to prohibit the public consumption of such drugs, resulting in a regulatory disparity between alcohol, cannabis, and other controlled substances;

**WHEREAS**, given the established precedent in regulating the public consumption of substances such as alcohol and cannabis, it is both reasonable and appropriate to extend such regulations to the public consumption of controlled substances;

**WHEREAS**, given the potency and associated dangers of controlled substances, including but not limited to methamphetamine, cocaine, and fentanyl, and any combination thereof, the public consumption of these substances should be regulated and carry greater penalties than the consumption of substances already deemed unlawful for public use, such as alcohol and cannabis;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. Springfield Municipal Code Section 5.256 is hereby repealed and replaced as follows:

**"5.256 Alcohol and Controlled Substances in Public Places.**

- (1) No person shall consume controlled substance, as defined in ORS 475.005, on public property.
- (2) No person shall consume alcoholic liquor, as defined in ORS 471.001 on public property.
- (3) The prohibition set forth in Subsection (2) does not apply to:
  - (a) The consumption of alcoholic liquor in sidewalk cafes that have obtained permits pursuant to Chapter 7.302 of this Code.
  - (b) The use of alcohol in street areas licensed for that purpose by the Oregon Liquor Cannabis Commission and adherence to all relevant Oregon Liquor and Cannabis Commission guidelines or regulations.
  - (c) The consumption of medications, as directed by a prescriber, as stipulated in ORS 414.351.
- (4) The term "consume" means the act of imbibing, injecting, ingesting, inhaling, or otherwise introducing a substance into the human body.
- (5) The prohibition set forth in Section (1) will take immediate effect if any of the following occurs:
  - (a) The State of Oregon passes a law granting local jurisdictions the power to regulate public consumption of controlled substances;
  - (b) A court with appropriate jurisdiction determines that cities can regulate the public consumption of such substances within their boundaries; or
  - (c) A regulatory body of the State of Oregon identifies or drafts regulations allowing implementation.
- (6) Penalties
  - (a) Violation of the offense in Subsection 1 of this section is punishable as Class B misdemeanor pursuant to SMC section 1.205.
  - (b) Violation of the offense in Subsection 2 of this section punishable as a violation and may include a fine not exceeding \$720.00 pursuant to SMC section 1.205."

Section 2. 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 3. Effective date of this Ordinance is 30 days after adoption by Council.

ADOPTED by the Common Council of the City of Springfield this \_\_\_\_ day of December, 2024, by a vote of \_\_\_\_\_ for and \_\_\_\_ against.

APPROVED by the Mayor of the City of Springfield this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

---

**AGENDA ITEM SUMMARY****SPRINGFIELD  
CITY COUNCIL****Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Nathan Bell/Finance  
**Staff Phone No:** 541-726-2364  
**Estimated Time:** 10 Minutes  
**Council Goals:** Provide Financially Responsible and Innovative Government Services

---

**ITEM TITLE:** FY24 SUPPLEMENTAL BUDGET 2**ACTION****REQUESTED:**

Conduct a public hearing and adopt/not adopt the following resolutions:

A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE FOLLOWING FUNDS: SPECIAL REVENUE, VEHICLE &amp; EQUIPMENT.

**ISSUE****STATEMENT:**

At various times during the fiscal year, the Council is requested to adjust the annual budget to reflect needed changes in planned activities, to recognize new revenues, or to make other required changes. These adjustments to resources and requirements change the current budget and are processed through supplemental budget requests scheduled by the Finance Department. This is the second of four FY24 supplemental budget requests to come before Council.

The City Council is asked to approve the attached Supplemental Budget Resolution.

**ATTACHMENTS:**

[1. Supplemental Budget Resolution and Exhibit A](#)

**DISCUSSION/  
FINANCIAL  
IMPACT:**

Supplemental budgets may be used to meet unexpected needs or to spend revenues not anticipated at the time the original budget was adopted. In accordance with Oregon budget law, notification of this supplemental budget and a hearing is made no later than five calendar days before the public meeting. A public hearing is only required when a supplemental budget request changes total appropriations within a fund by 10% or greater. Notification of this public hearing was published in the Creswell Chronicle at least five days prior to the public hearing.

The proposed changes in the Supplemental Budget Resolution include:

Special Revenue Fund 204 – Increase Finance operating expense by \$184,542 offset by grant revenue from the Department of Justice. The purpose of this grant is to implement an Adult Drug Treatment Court in the Springfield Municipal Court.

Vehicle & Equipment Fund 713 – Increase Fire & Life Safety operating expense by \$1,816,273, offset by a reduction in reserves, to support the purchase of a fire apparatus. Recent production delays of 36 months from date of order to delivery require ordering sooner than originally planned to ensure fleet delivery when replacements are needed.

---

**Exhibit A  
FY2023-24  
SUPPLEMENTAL BUDGET AND APPROPRIATIONS TRANSFER**

<u>General Fund - 100</u>	<u>FY24 Adopted Budget</u>	<u>Supplemental Budget 1</u>	<u>Supplemental Budget 2</u>	<u>Appropriations Transfers &amp; Adjustments</u>	<u>FY24 Revised Budget</u>
<b>Department Operating</b>					
City Manager's Office	\$ 1,665,389	\$ -	\$ -	\$ (1,000)	\$ 1,664,389
Development & Public Works	3,095,222	202,542	-	-	3,297,764
Finance	2,660,599	62,500	-	-	2,723,099
Fire and Life Safety	13,151,343	-	-	-	13,151,343
Human Resources	969,736	(20,000)	-	-	949,736
Information Technology	1,652,478	-	-	-	1,652,478
Legal Services	959,862	-	-	-	959,862
Library	2,104,887	10,779	-	-	2,115,666
Police	18,123,044	-	-	-	18,123,044
<b>Total Department Operating</b>	<b>44,382,561</b>	<b>255,821</b>	<b>-</b>	<b>(1,000)</b>	<b>44,637,382</b>
<b>Non-Departmental</b>					
Transfers	1,095,497	57,670	-	1,000	1,154,167
Contingency	1,000,000	-	-	-	1,000,000
Reserves*	9,289,837	751,605	-	-	10,041,442
<b>Total Non-Departmental</b>	<b>11,385,334</b>	<b>809,275</b>	<b>-</b>	<b>1,000</b>	<b>12,195,609</b>
<b>Total General Fund</b>	<b>\$ 55,767,895</b>	<b>\$ 1,065,096</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 56,832,991</b>

General Fund Commentary:  
- No current activity.

<u>Street Fund - 201</u>	<u>FY24 Adopted Budget</u>	<u>Supplemental Budget 1</u>	<u>Supplemental Budget 2</u>	<u>Appropriations Transfers &amp; Adjustments</u>	<u>FY24 Revised Budget</u>
<b>Department Operating</b>					
City Manager's Office	\$ 55,784	\$ -	\$ -	\$ -	\$ 55,784
Development & Public Works	7,131,784	19,935	-	-	7,151,719
Finance	70,456	-	-	-	70,456
<b>Total Department Operating</b>	<b>7,258,023</b>	<b>19,935</b>	<b>-</b>	<b>-</b>	<b>7,277,958</b>
<b>Non-Departmental</b>					
Transfers	150,000	-	-	-	150,000
Contingency	200,000	-	-	-	200,000
Reserves*	2,733,206	(57,480)	-	-	2,675,726
<b>Total Non-Departmental</b>	<b>3,083,206</b>	<b>(57,480)</b>	<b>-</b>	<b>-</b>	<b>3,025,726</b>
<b>Total Street Fund</b>	<b>\$ 10,341,229</b>	<b>\$ (37,545)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,303,684</b>

Street Fund Commentary:  
- No current activity.

<u>Special Revenue Fund - 204</u>	<u>FY24 Adopted Budget</u>	<u>Supplemental Budget 1</u>	<u>Supplemental Budget 2</u>	<u>Appropriations Transfers &amp; Adjustments</u>	<u>FY24 Revised Budget</u>
<b>Department Operating</b>					
City Manager's Office	\$ 3,726,570	\$ 74,034	\$ -	\$ 1,000	\$ 3,801,604
Development & Public Works	5,866,836	1,684,112	-	-	7,550,948
Finance	816,705	(25,869)	184,542	-	975,378 (1)
Fire and Life Safety	266,209	36,964	-	-	303,173
Human Resources	104,835	-	-	-	104,835
Information Technology	133,866	96,870	-	-	230,736
Library	124,218	86,620	-	-	210,838
Police	479,800	558,971	-	-	1,038,771
<b>Total Department Operating</b>	<b>11,519,039</b>	<b>2,511,702</b>	<b>184,542</b>	<b>1,000</b>	<b>14,216,283</b>
<b>Non-Departmental</b>					
Reserves*	5,493,666	(325,840)	-	-	5,167,826
<b>Total Non-Departmental</b>	<b>5,493,666</b>	<b>(325,840)</b>	<b>-</b>	<b>-</b>	<b>5,167,826</b>
<b>Total Special Revenue Fund</b>	<b>\$ 17,012,705</b>	<b>\$ 2,185,862</b>	<b>\$ 184,542</b>	<b>\$ 1,000</b>	<b>\$ 19,384,109</b>

Special Revenue Fund Commentary:

1.) Increase Finance operating expense by \$184,542 offset by grant revenue from the Department of Justice. The purpose of this grant is to implement an Adult Drug Treatment Court in the Springfield Municipal Court.



	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Transient Room Tax Fund - 208</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 235,194	\$ -	\$ -	\$ -	\$ 235,194
Development & Public Works	29,923	-	-	-	29,923
Library	273,807	600	-	-	274,407
<b>Total Department Operating</b>	<b>538,925</b>	<b>600</b>	<b>-</b>	<b>-</b>	<b>539,525</b>
<b>Non -Departmental</b>					
Transfers	1,100,000	-	-	-	1,100,000
Reserves*	2,269,773	92,366	-	-	2,362,139
<b>Total Non-Departmental</b>	<b>3,369,773</b>	<b>92,366</b>	<b>-</b>	<b>-</b>	<b>3,462,139</b>
<b>Total Transient Room Tax Fund</b>	<b>\$ 3,908,698</b>	<b>\$ 92,966</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,001,664</b>

Transient Room Tax Fund Commentary:  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Community Development Fund - 210</b>					
<b>Department Operating</b>					
Development & Public Works	\$ 1,159,459	\$ 962,502	\$ -	\$ -	\$ 2,121,961
Finance	27,516	-	-	-	27,516
<b>Total Department Operating</b>	<b>1,186,975</b>	<b>962,502</b>	<b>-</b>	<b>-</b>	<b>2,149,477</b>
<b>Non-Departmental</b>					
Reserves*	250,000	102,266	-	-	352,266
<b>Total Non-Departmental</b>	<b>250,000</b>	<b>102,266</b>	<b>-</b>	<b>-</b>	<b>352,266</b>
<b>Total Community Development Fund</b>	<b>\$ 1,436,975</b>	<b>\$ 1,064,768</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,501,743</b>

Community Development Fund Commentary:  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Building Code Fund - 224</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 23,185	\$ -	\$ -	\$ -	\$ 23,185
Development & Public Works	1,531,993	-	-	-	1,531,993
Fire & Life Safety	85,645	-	-	-	85,645
<b>Total Department Operating</b>	<b>1,640,823</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,640,823</b>
<b>Non -Departmental</b>					
Contingency	35,000	-	-	-	35,000
Reserves*	4,210,958	1,177,849	-	-	5,388,807
<b>Total Non-Departmental</b>	<b>4,245,958</b>	<b>1,177,849</b>	<b>-</b>	<b>-</b>	<b>5,423,807</b>
<b>Total Building Fund</b>	<b>\$ 5,886,781</b>	<b>\$ 1,177,849</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,064,630</b>

Building Code Fund Commentary:  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Fire Local Option Levy Fund - 235</b>					
<b>Department Operating</b>					
Fire and Life Safety	\$ 1,725,722	\$ -	\$ -	\$ -	\$ 1,725,722
<b>Total Department Operating</b>	<b>1,725,722</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,725,722</b>
<b>Non -Departmental</b>					
Contingency	45,000	-	-	-	45,000
Reserves*	2,271,540	(142,944)	-	-	2,128,596
<b>Total Non-Departmental</b>	<b>2,316,540</b>	<b>(142,944)</b>	<b>-</b>	<b>-</b>	<b>2,173,596</b>
<b>Total Fire Local Option Levy Fund</b>	<b>\$ 4,042,262</b>	<b>\$ (142,944)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,899,318</b>

Fire Local Option Levy Fund Commentary:  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Police Local Option Levy Fund - 236</b>					
<b>Department Operating</b>					
Finance	\$ 754,400	\$ -	\$ -	\$ -	\$ 754,400
Legal Services	93,280	-	-	-	93,280
Police	7,929,538	-	-	-	7,929,538
<b>Total Department Operating</b>	<b>8,777,217</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,777,217</b>
<b>Non -Departmental</b>					
Transfers	27,500	-	-	-	27,500
Contingency	150,000	-	-	-	150,000
Reserves*	2,380,321	914,059	-	-	3,294,380
<b>Total Non-Departmental</b>	<b>2,557,821</b>	<b>914,059</b>	<b>-</b>	<b>-</b>	<b>3,471,880</b>
<b>Total Police Local Option Levy Fund</b>	<b>\$ 11,335,038</b>	<b>\$ 914,059</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 12,249,097</b>

**Police Local Option Levy Fund Commentary:**  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Bond Sinking Fund - 306</b>					
<b>Non-Departmental</b>					
Debt Service	\$ 4,019,570	\$ -	\$ -	\$ -	\$ 4,019,570
Unappropriated Ending Fund Balance*	488,245	(10,732)	-	-	477,513
<b>Total Non-Departmental</b>	<b>4,507,815</b>	<b>(10,732)</b>	<b>-</b>	<b>-</b>	<b>4,497,083</b>
<b>Total Bond Sinking Fund</b>	<b>\$ 4,507,815</b>	<b>\$ (10,732)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,497,083</b>

**Bond Sinking Fund Commentary:**  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Development Assessment Fund - 419</b>					
<b>Non-Departmental</b>					
Reserves*	\$ 862,971	\$ 13,744	\$ -	\$ -	\$ 876,715
<b>Total Non-Departmental</b>	<b>862,971</b>	<b>13,744</b>	<b>-</b>	<b>-</b>	<b>876,715</b>
<b>Total Development Assessment Fund</b>	<b>\$ 862,971</b>	<b>\$ 13,744</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 876,715</b>

**Development Assessment Fund Commentary:**  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Development Projects Fund - 420</b>					
<b>Total Development &amp; Public Works Capital Projects</b>					
	\$ 313,884	\$ 92,813	\$ -	\$ -	\$ 406,697
<b>Non-Departmental</b>					
Transfers	-	98,000	-	-	98,000
Reserves*	5,220,387	896,832	-	-	6,117,219
<b>Total Non-Departmental</b>	<b>5,220,387</b>	<b>994,832</b>	<b>-</b>	<b>-</b>	<b>6,215,219</b>
<b>Total Development Projects Fund</b>	<b>\$ 5,534,271</b>	<b>\$ 1,087,645</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 6,621,916</b>

**Development Assessment Fund Commentary:**  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Regional Wastewater Capital Fund - 433</b>					
<b>Department Operating</b>					
Development & Public Works	\$ 2,479,000	\$ 2,228,030	\$ -	\$ -	\$ 4,707,030
<b>Total Department Operating</b>	<b>2,479,000</b>	<b>2,228,030</b>	<b>-</b>	<b>-</b>	<b>4,707,030</b>
<b>Total Development &amp; Public Works Capital Projects</b>					
	<b>64,680,000</b>	<b>4,185,557</b>	<b>-</b>	<b>-</b>	<b>68,865,557</b>
<b>Non-Departmental</b>					
Transfers	25,904	-	-	-	25,904
Reserves*	42,740,385	322,716	-	-	43,063,101
<b>Total Non-Departmental</b>	<b>42,766,289</b>	<b>322,716</b>	<b>-</b>	<b>-</b>	<b>43,089,005</b>
<b>Total Regional Wastewater Capital Fund</b>	<b>\$ 109,925,289</b>	<b>\$ 6,736,303</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 116,661,592</b>

**Regional Wastewater Capital Fund Commentary:**  
- No current activity.

	<u>FY24</u> <u>Adopted Budget</u>	<u>Supplemental</u> <u>Budget 1</u>	<u>Supplemental</u> <u>Budget 2</u>	<u>Appropriations</u> <u>Transfers &amp;</u> <u>Adjustments</u>	<u>FY24</u> <u>Revised</u> <u>Budget</u>
<b>Street Capital Fund - 434</b>					
<b>Department Operating</b>					
Development & Public Works	\$ 118,785	\$ -	\$ -	\$ -	\$ 118,785
<b>Total Department Operating</b>	<u>118,785</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>118,785</u>
<b>Total Development &amp; Public Works Capital Projects</b>	<u>17,208,277</u>	<u>400,000</u>	<u>-</u>	<u>-</u>	<u>17,608,277</u>
<b>Non-Departmental</b>					
Reserves*	4,937,753	(705,590)	-	-	4,232,163
<b>Total Non-Departmental</b>	<u>4,937,753</u>	<u>(705,590)</u>	<u>-</u>	<u>-</u>	<u>4,232,163</u>
<b>Total Street Capital Fund</b>	<u>\$ 22,264,815</u>	<u>\$ (305,590)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 21,959,225</u>

Street Capital Fund Commentary:  
- No current activity.

	<u>FY24</u> <u>Adopted Budget</u>	<u>Supplemental</u> <u>Budget 1</u>	<u>Supplemental</u> <u>Budget 2</u>	<u>Appropriations</u> <u>Transfers &amp;</u> <u>Adjustments</u>	<u>FY24</u> <u>Revised</u> <u>Budget</u>
<b>Sanitary Sewer Operations Fund - 611</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 83,600	\$ -	\$ -	\$ -	\$ 83,600
Development & Public Works	5,202,120	19,087	-	-	5,221,207
Finance	62,704	-	-	-	62,704
<b>Total Department Operating</b>	<u>5,348,424</u>	<u>19,087</u>	<u>-</u>	<u>-</u>	<u>5,367,510</u>
<b>Total Development &amp; Public Works Capital Projects</b>	<u>11,391,962</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>11,391,962</u>
<b>Non-Departmental</b>					
Debt Service	1,706,000	-	-	-	1,706,000
Contingency	150,000	-	-	-	150,000
Reserves*	26,503,799	840,185	-	-	27,343,984
<b>Total Non-Departmental</b>	<u>28,359,799</u>	<u>840,185</u>	<u>-</u>	<u>-</u>	<u>29,199,984</u>
<b>Total Sewer Operations Fund</b>	<u>\$ 45,100,185</u>	<u>\$ 859,272</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 45,959,456</u>

Sanitary Sewer Operations Fund Commentary:  
- No current activity.

	<u>FY24</u> <u>Adopted Budget</u>	<u>Supplemental</u> <u>Budget 1</u>	<u>Supplemental</u> <u>Budget 2</u>	<u>Appropriations</u> <u>Transfers &amp;</u> <u>Adjustments</u>	<u>FY24</u> <u>Revised</u> <u>Budget</u>
<b>Regional Wastewater Fund - 612</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 17,649	\$ -	\$ -	\$ -	\$ 17,649
Development & Public Works	23,712,953	372,060	-	-	24,085,013
Finance	181,874	-	-	-	181,874
<b>Total Department Operating</b>	<u>23,912,475</u>	<u>372,060</u>	<u>-</u>	<u>-</u>	<u>24,284,535</u>
<b>Non-Departmental</b>					
Transfers	14,300,000	-	-	-	14,300,000
Debt Service	4,113,000	-	-	-	4,113,000
Reserves*	10,594,782	1,710,756	-	-	12,305,538
<b>Total Non-Departmental</b>	<u>29,007,782</u>	<u>1,710,756</u>	<u>-</u>	<u>-</u>	<u>30,718,538</u>
<b>Total Regional Wastewater Fund</b>	<u>\$ 52,920,257</u>	<u>\$ 2,082,816</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 55,003,073</u>

Regional Wastewater Fund Commentary:  
- No current activity.

	<u>FY24</u> <u>Adopted Budget</u>	<u>Supplemental</u> <u>Budget 1</u>	<u>Supplemental</u> <u>Budget 2</u>	<u>Appropriations</u> <u>Transfers &amp;</u> <u>Adjustments</u>	<u>FY24</u> <u>Revised</u> <u>Budget</u>
<b>Ambulance Fund - 615</b>					
<b>Department Operating</b>					
Fire and Life Safety	\$ 6,862,659	\$ -	\$ -	\$ -	\$ 6,862,659
<b>Total Department Operating</b>	<u>6,862,659</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>6,862,659</u>
<b>Non-Departmental</b>					
Contingency	150,000	-	-	-	150,000
Reserves*	-	916	-	-	916
<b>Total Non-Departmental</b>	<u>150,000</u>	<u>916</u>	<u>-</u>	<u>-</u>	<u>150,916</u>
<b>Total Ambulance Fund</b>	<u>\$ 7,012,659</u>	<u>\$ 916</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,013,575</u>

Ambulance Fund Commentary:  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Storm Drainage Operating Fund - 617</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 83,921	\$ -	\$ -	\$ -	\$ 83,921
Development & Public Works	7,648,632	20,982	-	-	7,669,614
Finance	62,717	-	-	-	62,717
<b>Total Department Operating</b>	<b>7,795,269</b>	<b>20,982</b>	<b>-</b>	<b>-</b>	<b>7,816,251</b>
<b>Total Development &amp; Public Works Capital Projects</b>	<b>9,892,797</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9,892,797</b>
<b>Non-Departmental</b>					
Debt Service	553,641	-	-	-	553,641
Contingency	200,000	-	-	-	200,000
Reserves*	16,365,615	1,218,296	-	-	17,583,911
<b>Total Non-Departmental</b>	<b>17,119,256</b>	<b>1,218,296</b>	<b>-</b>	<b>-</b>	<b>18,337,552</b>
<b>Total Drainage Operating Fund</b>	<b>\$ 34,807,322</b>	<b>\$ 1,239,278</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 36,046,601</b>

**Storm Drainage Operating Fund Commentary:**

- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Booth-Kelly Fund - 618</b>					
<b>Department Operating</b>					
City Manager's Office	\$ 257,038	\$ -	\$ -	\$ -	\$ 257,038
Development & Public Works	484,304	-	-	-	484,304
<b>Total Department Operating</b>	<b>741,341</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>741,341</b>
<b>Total Development &amp; Public Works Capital Projects</b>	<b>190,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>190,000</b>
<b>Non-Departmental</b>					
Transfers	86,772	-	-	-	86,772
Contingency	15,000	-	-	-	15,000
Reserves*	576,558	160,114	-	-	736,672
<b>Total Non-Departmental</b>	<b>678,330</b>	<b>160,114</b>	<b>-</b>	<b>-</b>	<b>838,444</b>
<b>Total Booth-Kelly Fund</b>	<b>\$ 1,609,671</b>	<b>\$ 160,114</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,769,785</b>

**Booth-Kelly Fund Commentary:**

- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Regional Fiber Consortium - 629</b>					
<b>Department Operating</b>					
Finance	\$ 224,686	\$ -	\$ -	\$ -	\$ 224,686
<b>Total Department Operating</b>	<b>224,686</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>224,686</b>
<b>Non-Departmental</b>					
Reserves*	412,105	155,435	-	-	567,540
<b>Total Non-Departmental</b>	<b>412,105</b>	<b>155,435</b>	<b>-</b>	<b>-</b>	<b>567,540</b>
<b>Total Regional Fiber Consortium Fund</b>	<b>\$ 636,791</b>	<b>\$ 155,435</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 792,226</b>

**Regional Fiber Consortium Fund Commentary:**

- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Insurance Fund - 707</b>					
<b>Department Operating</b>					
Human Resources	\$ 533,140	\$ 20,000	\$ -	\$ -	\$ 553,140
Health Insurance	8,535,823	-	-	-	8,535,823
Property & Liability	2,003,254	-	-	-	2,003,254
Worker's Compensation	690,488	-	-	-	690,488
<b>Total Department Operating</b>	<b>11,762,705</b>	<b>20,000</b>	<b>-</b>	<b>-</b>	<b>11,782,705</b>
<b>Non-Departmental</b>					
Contingency	200,000	-	-	-	200,000
Reserves*	14,267,709	794,069	-	-	15,061,778
<b>Total Non-Departmental</b>	<b>14,467,709</b>	<b>794,069</b>	<b>-</b>	<b>-</b>	<b>15,261,778</b>
<b>Total Insurance Fund</b>	<b>\$ 26,230,414</b>	<b>\$ 814,069</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 27,044,483</b>

**Insurance Fund Commentary:**  
- No current activity.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>Vehicle and Equipment Fund - 713</b>					
<b>Department Operating</b>					
Development & Public Works	\$ 1,598,001	\$ 42,193	\$ -	\$ -	\$ 1,640,194
Fire & Life Safety	237,250	1,304,850	1,816,273	-	3,358,373 (1)
Information Technology	776,368	-	-	-	776,368
Legal	2,300	-	-	-	2,300
Library	16,000	-	-	-	16,000
Police	688,500	264,000	-	-	952,500
<b>Total Department Operating</b>	<b>3,318,419</b>	<b>1,611,043</b>	<b>1,816,273</b>	<b>-</b>	<b>6,745,735</b>
<b>Non-Departmental</b>					
Reserves*	9,160,963	(997,321)	(1,816,273)	-	6,347,369 (1)
<b>Total Non-Departmental</b>	<b>9,160,963</b>	<b>(997,321)</b>	<b>(1,816,273)</b>	<b>-</b>	<b>6,347,369</b>
<b>Total Vehicle and Equipment Fund</b>	<b>\$ 12,479,382</b>	<b>\$ 613,722</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 13,093,104</b>

**Vehicle and Equipment Fund Commentary:**

1.) Increase Fire & Life Safety operating expense by \$1,816,273, offset by a reduction in reserves, to support the purchase a fire apparatus. Recent production delays of 36 months from date of order to delivery require ordering sooner than originally planned to ensure fleet delivery when replacemnets are needed.

	<u>FY24</u>	<u>Supplemental</u>	<u>Supplemental</u>	<u>Appropriations</u>	<u>FY24</u>
	<u>Adopted Budget</u>	<u>Budget 1</u>	<u>Budget 2</u>	<u>Transfers &amp;</u>	<u>Revised</u>
				<u>Adjustments</u>	<u>Budget</u>
<b>SDC Administration Fund - 719</b>					
<b>Department Operating</b>					
Development & Public Works	\$ 414,423	\$ -	\$ -	\$ -	\$ 414,423
Finance	46,223	-	-	-	46,223
<b>Total Department Operating</b>	<b>460,646</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>460,646</b>
<b>Non-Departmental</b>					
Contingency	10,000	-	-	-	10,000
Reserves*	261,424	316,760	-	-	578,184
<b>Total Non-Departmental</b>	<b>271,424</b>	<b>316,760</b>	<b>-</b>	<b>-</b>	<b>588,184</b>
<b>Total SDC Administration Fund</b>	<b>\$ 732,070</b>	<b>\$ 316,760</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,048,830</b>

**SDC Administration Fund Commentary:**  
- No current activity.

<b>TOTAL RESOLUTION</b>	<b>\$ 434,355,495</b>	<b>\$ 20,083,863</b>	<b>\$ 184,542</b>	<b>\$ 1,000</b>	<b>\$ 454,624,900</b>
-------------------------	-----------------------	----------------------	-------------------	-----------------	-----------------------

\*Reserves and Unappropriated Ending Fund Balance are not appropriated for spending and are shown for information purposes only.

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Stan Petroff, DPW/  
Kristina Kraaz, CAO  
**Staff Phone No:** 541-726-3753  
**Estimated Time:** 5 Minutes  
**Council Goals:** Financially Responsible  
and Stable Government  
Services

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:** System Development Charge Commercial to Residential Conversion Policy

---

**ACTION  
REQUESTED:** Hold a public hearing and adopt/not adopt the following Resolution:  
  
ADOPTING A COMMERCIAL TO RESIDENTIAL CONVERSION POLICY  
RELATED TO THE IMPOSITION OF SYSTEM DEVELOPMENT CHARGES

---

**ISSUE  
STATEMENT:** Whether the City Council wishes to adopt a specific policy for system development charges (SDCs) for commercial to residential conversion, to be able to collect SDCs for said conversions after January 1, 2024.

---

**ATTACHMENTS:** [1. Resolution with Exhibit A – SDC Commercial to Residential Conversion Policy](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** The Oregon Legislature adopted House Bill 2984 (2023) requiring local governments to allow conversion of a building from commercial to residential uses, without requiring zone change or a conditional use permit. HB 2984 limits the City’s authority to require payment of SDCs for said conversions unless the charge is either (1) based on a specific commercial to residential conversion policy adopted on or before December 31, 2023, or (2) for water and wastewater and is offset by any SDCs paid when building was originally constructed.

The City has general SDC policies that apply to changes in use, that provide credit for the most intense use documented to have existed since the last SDC methodology was adopted, e.g. Springfield Municipal Code 3.416. However, the City has no “specific policy” related to commercial to residential conversions that is required under HB 2984.

The City Attorney’s Office and the City Engineer recommend the Council adopt the proposed policy in the attached Resolution to allow the City to continue collecting SDCs for changes in use from commercial to residential after January 1, 2024. The proposed policy is consistent with the City’s existing practices and general policies applicable to changes in use, wherein credits from existing uses are applied to offset any new charges.

---

**CITY OF SPRINGFIELD, OREGON  
RESOLUTION NO. \_\_\_\_\_**

**ADOPTING A COMMERCIAL TO RESIDENTIAL CONVERSION POLICY RELATED TO THE  
IMPOSITION OF SYSTEM DEVELOPMENT CHARGES**

**WHEREAS**, the Springfield Municipal Code (SMC) 3.400 through 3.420 authorize the City of Springfield to require payment of system development charges (SDCs) for the purpose of imposing an equitable share of the public cost of capital improvements upon development activities that create the need for or increase the demands on such capital improvements;

**WHEREAS**, during the 2023 Regular Session, the Oregon Legislature adopted House Bill 2984, requiring local governments to allow conversion of a building from commercial to residential use without requiring a zone change or conditional use permit;

**WHEREAS**, under HB 2984, the City may require payment of system development charges (SDCs) for commercial to residential conversions only if charge is based on a specific commercial to residential conversion policy adopted on or before December 31, 2023, or if the charge is for wastewater and offset by any SDCs paid when building was originally constructed;

**WHEREAS**, on April 19, 2010, the Council adopted Resolution 10-19, amending and adopting the rate structure for systems development charges for stormwater and local wastewater;

**WHEREAS**, on December 1, 2014, the Council adopted Resolution 2014-38, modifying a methodology for the calculation of transportation system development charges;

**WHEREAS**, SMC 3.416 provides a credit against SDCs for the most intense use documented to have existed since the adoption of the infrastructure plan in effect when the SDC methodology was adopted; however, the City has not adopted a specific commercial to residential conversion policy for SDCs;

**WHEREAS**, pursuant to HB 2984, the City Council considers it in the public interest to adopt a specific commercial to residential conversion policy for SDCs to ensure that development activities in the City of Springfield continue to pay an equitable share of the public cost of capital improvements; and

**WHEREAS**, the City Council finds that the policy adopted herein is consistent with, and does not require amendment to, the SDC methodologies adopted in Resolution 10-19 and Resolution 2014-38,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD:

Section 1: A Commercial to Residential Conversion System Development Charge Policy is hereby adopted as provided in Exhibit A, attached hereto and incorporated by reference.

Section 2: This Resolution will take effect immediately upon adoption by the Council.

ADOPTED by the Common Council of the City of Springfield this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

ATTEST:

\_\_\_\_\_  
City Recorder

City of Springfield System Development Charge Policy:  
Commercial to Residential Conversions

1. This policy applies to conversion of a building or portion of a building from commercial use to residential use where the building is located (1) within the Springfield Urban Growth Boundary and (2) is not located on lands zoned to allow industrial uses.
2. For the purpose of this policy:
  - a. "Residential use" is as defined in Springfield Development Code 6.1.110 and includes buildings and portions of buildings comprised of one or more dwelling units. Residential uses do not include transient lodging, short term rentals as defined in Springfield Development Code 4.7.355, or public and institutional uses that do not consist of dwelling units.
  - b. "Commercial use" is as defined in Springfield Development Code 6.1.110 and includes any Permitted Use within a commercial land use district as provided in Springfield Development Code 3.2.320.
  - c. "Lands zoned to allow industrial uses" means lands within the following land use districts as provided on the Springfield Zoning Map: Campus Industrial (CI), Light-Medium Industrial (LMI), Heavy Industrial (HI), Special Heavy Industrial (SHI), Mixed-Use Employment (MUE), Glenwood Employment Mixed Use (GEMU), or Quarry-Mining Operations (QMO).
3. At the time that SDCs become payable under SMC 3.412, the City Manager or their designee will compute the SDCs for commercial to residential conversions as follows:
  - a. Stormwater:
    - i. For commercial to residential conversions that add impervious surface area, the SDCs will be calculated based on the amount of new impervious surface area only, as provided in the Stormwater Methodology adopted in Resolution 10-19 and the most recently adopted Master Fees and Charges Schedule.
    - ii. If no new impervious surfaces are added, then no additional stormwater SDCs will be payable to the City.
    - iii. A credit proportional to the peak 10-year runoff reduction will be given for retention systems constructed to serve the commercial use(s), or constructed as part of the conversion to residential uses, as provided in the Stormwater Methodology.
  - b. Local Wastewater:
    - i. The SDCs payable to the City will be based on the drainage fixture units



(DFUs) as provided in the Local Wastewater Methodology adopted by Resolution 10-19 and the most recently adopted Master Fees and Charges Schedule.

- ii. The DFUs used to calculate the SDCs must be equal to the DFUs associated with the proposed residential use, less the DFUs associated with the most intense commercial use that is documented to have existing on the property since April 19, 2010; provided, however, if the calculation results in a negative DFUs, no further stormwater SDCs will be payable.
- iii. If the building or portion of the building has been vacant since prior to April 19, 2010, the SDCs will be based solely on the DFUs associated with the proposed residential use, with no offset for any prior commercial uses existing prior to that date.

c. Transportation:

- i. The SDCs payable to the City will be based on the average daily trips (ADT) as provided in the Transportation Methodology adopted by Resolution 2014-38 and the most recently adopted Master Fees and Charges Schedule.
- ii. The ADT used to calculate the SDCs must be equal to the ADT associated with the proposed residential use, less the ADT associated with the most intense commercial use that is documented to have existing on the property since December 1, 2014; provided, however, if the calculation results in a negative ADT, no further transportation SDCs will be payable.
- iii. If the building or portion of the building has been vacant since prior to December 1, 2014, the SDCs will be based solely on the ADT associated with the proposed residential use, with no offset for any prior commercial uses existing prior to that date.

- 4. To the extent that this policy conflicts with the Springfield Municipal Code or any requirement or provision of an SDC methodology adopted by the City of Springfield pursuant to, the Springfield Municipal Code or SDC methodology will prevail.



December 4, 2022

Lane County Board of Commissioners  
125 E 8<sup>th</sup> Ave.  
Eugene, OR 97401

Dear Lane County Board of Commissioners,

During the City of Springfield's November 20<sup>th</sup>, 2023, work session, staff from Lane County's Public Work Department presented on the proposed agreement with Bulk Handling Systems to build and operate an Integrated Material and Energy Recovery Facility, (IMERF). We had an engaging discussion with the staff present and we appreciate them presenting to the Springfield City Council. Below is a summary of our conversation and our concerns with this project.

### Cost Uncertainty

The uncertainty of cost remains the highest concern for Springfield. While Lane County staff outlined the tipping fee increase percentage for the next six years, they were unable to translate that into real dollars. Our community takes an increase to cost of services seriously, and we require strict review before approving any increases. Without knowing how much the average home and business's solid waste disposal rate will increase each year we are being asked to assume a high levels of risk and uncertainty. A breakdown of the average dollar increase for various homes and businesses in the region, along with a guarantee that these costs would not increase, would help eliminate uncertainty and allow for the City of Springfield, and its community to prepare for the increases.

### Flow Control

Alongside the costs, Springfield City Council is concerned that approval of the IMERF may lead the County to mandate flow control in the future, requiring all municipal solid waste to be hauled exclusively to Lane County's facilities. Specifically, the Council is concerned about the impact on customer rates if flow control is required. However, Lane County staff would not rule out the possibility that flow control may be implemented later on, if the IMERF does not receive the expected amount of solid waste. In response to this concern, Lane County staff stated that the county is not currently proposing flow control because its cost analysis demonstrates that disposal at the IMERF will remain the cheapest option, even accounting for higher tipping fees, and so flow control is unnecessary. This uncertainty, like the cost increase, creates an unknown risk for Springfield residents and businesses. We urge the Board not to move forward with the IMERF unless it is clear that long-term success will not depend upon flow control.

Additionally, Lane County staff acknowledged that, under ORS 459.085, the county's authority to regulate solid waste hauling is limited to "areas outside of cities." The Springfield City Council requests that the Board and County Counsel's Office confirm their agreement that state law preempts the county from mandating municipal flow control without explicit cooperation and agreement by the Springfield City Council.

### Project Priority

While the IMERF helps the County reduce waste and achieve the goal material recovery rate of 63%, there are other, competing projects that would more directly impact Springfield and the community. City Council's first priority project is the wastewater and leachate pipeline to Goshen, the future IMERF site, and beyond. Cities like Creswell and Goshen are economically hampered by their outdated and failing systems. By focusing on this issue, these areas could continue to develop and would bring in stronger economic development for the region.

City Council's second priority project is the Glenwood Transfer Station. In 2016 the City had identified this 20-acre site

of land as a potential for future redevelopment use and has been incorporated into City of Springfield's long range planning documents to have the transfer station moved. The Glenwood area is starting to see economic interest and hosting a transfer station in Glenwood is proving a barrier for increased investments. Proposing and researching alternative locations for the transfer station would alleviate the barrier in Glenwood and provide economic development opportunities for the region.

These two projects present active problems that need to be addressed and will require significant resource dedication from the County. These have been long standing issues in the County, while the IMERF focuses solely on a self-imposed greenhouse emission and material diversion reduction goal from the County. Before correcting new issues, the region should come together and correct the current problems we are facing.

### Public Input

Lastly, the Springfield City Council were surprised to hear there had not been active and dedicated public involvement opportunities. While this item has been brought before several public bodies, Lane County staff could not provide opportunities where they were talking with the public body general public, save for one visit with the Springfield City Club. The IMERF will provide new opportunities for our community, have an impact on the emissions reduction, and require new and increased costs. Directly reaching out to the community to provide these updates and get community feedback on this project creates a more transparent process. Without a community outreach plan, does Lane County know if the majority of the community supports increasing fees to meet sustainability goals? Before increasing fees across the County, a more thorough and dedicated community outreach effort should be made.

The City of Springfield and Lane County have developed a strong relationship over the years, and we appreciate the Board of Commissioners and staff to take the time to hear our concerns. While we understand the Federal tax credits for this project expire soon, we need to make sure this is a problem the community wants to solve first. Funding alone should not dictate this work.

Thank you again for your time. We hope you will consider these points during your vote on December 5. If there are additional questions from the Board, we would be happy to continue this conversation with the Board and Lane County staff.

Sincerely,

---

Sean VanGordon, Mayor

---

Michelle Webber, Councilor

---

Steve Moe, Councilor

---

Kori Rodley, Councilor

---

Beth Blackwell, Councilor

---

Victoria Doyle, Councilor

---

Joe Pishioneri, Councilor

---

**AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2023  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Sam Kelly-  
Quattrocchi/CMO  
**Staff Phone No:** 541.726.3713  
**Estimated Time:** 05 Minutes  
**Council Goals:** Maintain and Improve  
Infrastructure and  
Facilities

**SPRINGFIELD  
CITY COUNCIL**

---

**ITEM TITLE:** MILL STREET STATE FUNDING

---

**ACTION REQUESTED:** Authorize the City Manager to sign C3524.

---

**ISSUE STATEMENT:** The City of Springfield was awarded \$2,000,000 from Representative John Lively for the reconstruction of Mill Street. To accept these funds, the City would have to sign a grant agreement with the Department of Administrative Services, DAS.

---

**ATTACHMENTS:** [1: C3524 DAS Mill Street Grant Contract.](#)

---

**DISCUSSION/  
FINANCIAL  
IMPACT:** Mill Street serves as a collector for residences and some commercial use, and provides access to Centennial Boulevard and Main Street, two key Springfield arterial streets. Over time, the street has reached a state of deterioration beyond the feasibility of maintenance treatments. In addition to crumbling pavement, Mill Street currently presents challenges to pedestrians and bicyclists. Between 2008-2015, nine bicyclist-involved crashes were reported along the project length. Mill Street is also heavily accessed by pedestrians walking to Centennial Boulevard or Pioneer Parkway to use the bus.

Reconstructing Mill Street provides an opportunity to enhance the safety and accessibility of curb ramps and pedestrian crossings to allow for continued, safe access of commonly used pedestrian routes to get to and from the nearby bus lines as well as upgrade the sanitary sewer and storm lines.

The initial budget for Mill Street was estimated before the economic impacts of COVID-19 and the high levels of inflation. As the project plans are nearing completion, the final cost estimate is \$6,000,000 higher than previously estimated.

Staff worked with State Representative John Lively and secured \$2,000,000 in State funds for the reconstruction project. Attachment 1 is the grant contract with the Department of Administrative Services, DAS. If executed, DAS would send the dollars to the City, and City staff would be required to submit an annual report until the funds are expended.

---

## GRANT AGREEMENT

Title: Senate Bill 5506 (2023 Regular Session) General Fund Grant

Agreement Number: 107-2023-5506-18

This grant agreement (“Agreement”), dated as of the date the Agreement is fully executed, is made by the State of Oregon, acting by and through its Department of Administrative Services (“DAS” or “State”), and City of Springfield (“Recipient”). This Agreement becomes effective only when fully signed and approved as required by applicable law (the “Effective Date”) and, unless earlier terminated, expires on June 30, 2025 (the “Expiration Date”). **Certain terms of the Agreement survive its termination or expiration as set forth in Section 8.K below.**

Pursuant to the Oregon Laws 2023, chapter 605, section 87(13) (the “Authorization”), the Oregon Legislature appropriated \$2,000,000 from the General Fund for a grant to Recipient for the reconstruction of Mill Street.

### SECTION 1 – GRANT

DAS shall provide Recipient, and Recipient shall accept from DAS, a grant (the “Grant”) in the amount of \$2,000,000.

Conditions Precedent. DAS’s obligations are subject to the receipt of the following items, in form and substance satisfactory to DAS and its counsel:

- (1) This Agreement duly signed by an authorized officer of Recipient; and
- (2) Such other certificates, documents, opinions, and information as DAS may reasonably require.

### SECTION 2 – DISBURSEMENT

- A. Full Disbursement. Upon satisfaction of all conditions precedent, DAS shall disburse the full Grant to Recipient.
- B. Condition to Disbursement. DAS has no obligation to disburse funds unless, in the reasonable exercise of its administrative discretion, it has sufficient funding, appropriations, limitations, allotments and other expenditure authority to make the disbursement.

### SECTION 3 - USE OF GRANT

- A. Use of Grant Moneys. Recipient shall use the Grant for the reconstruction of Mill Street (“the Project”).
- B. Costs Paid for by Others. Recipient may not use any of the Grant to cover costs to be paid for by another State of Oregon agency or any third party.

### SECTION 4 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT

Recipient represents and warrants to DAS:

- A. Organization and Authority.
  - (1) Recipient is a city validly organized and existing under the laws of the State of Oregon.

- (2) Recipient has all necessary right, power and authority under its organizational documents and under Oregon law to (a) execute and deliver this Agreement, (b) incur and perform its obligations under this Agreement, and (c) receive the Grant funds.
  - (3) This Agreement has been authorized by an ordinance, order or resolution of Recipient's governing body.
  - (4) This Agreement has been duly executed by Recipient, and when executed by DAS, is legal, valid and binding, and enforceable in accordance with their terms.
- B. Full Disclosure. Recipient has disclosed in writing to DAS all facts that materially adversely affect its ability to perform all obligations required by this Agreement. Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Agreement is true and accurate in all respects.
- C. Pending Litigation. Recipient has disclosed in writing to DAS all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the ability of Recipient to perform all obligations required by this Agreement.
- D. No Defaults. No Defaults or Events of Default exist or occur upon authorization, execution or delivery of this Agreement.
- E. Compliance with Existing Agreements and Applicable Law. The authorization and execution of, and the performance of all obligations required by, this Agreement will not: (i) cause a breach of any agreement or instrument to which Recipient is a party; (ii) violate any provision of the charter or other document pursuant to which Recipient was organized or established; or (iii) violate any laws, regulations, ordinances, resolutions, or court orders related to Recipient or its properties or operations.

## SECTION 5 – COVENANTS OF RECIPIENT

Recipient covenants as follows:

- A. Notice of Adverse Change. Recipient shall promptly notify DAS of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient related to the ability of Recipient to perform all obligations required by this Agreement.
- B. Compliance with Laws. Recipient shall comply with all applicable laws, rules, regulations and orders of any court or governmental authority that relate to this Agreement and Recipient's use of the Grant funds.
- C. Annual Progress Reports. Recipient must submit to DAS annual progress reports (each a "Progress Report") until Grant funds are fully expended. A Progress Report is due one year from distribution of funding and thereafter annually until the Grant funds are fully expended. Each Progress Report shall contain a brief narrative and financial report on the total use of Grant funds. The narrative and financial report should include, but need not be limited to, the following information:
  - (1) Brief description of the Project and use of Grant funds to date;
  - (2) Timeline for major Project deliverables;
  - (3) Grant funds spent to date; and
  - (4) Project milestones met to date.

- D. Books and Records. Recipient shall keep accurate books and records of the uses of the Grant and maintain them according to generally accepted accounting principles.
- E. Inspections; Information. Recipient shall permit DAS and any party designated by DAS to inspect and make copies, at any reasonable time, of any accounts, books and records, including, without limitation, its records regarding receipts, disbursements, contracts, investments and any other related matters. Recipient shall supply any related reports and information as DAS may reasonably require.
- F. Records Maintenance. Recipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Agreement for a minimum of six years beyond the later of the final and total expenditure or disposition of the Grant. If there are unresolved issues at the end of such period, Recipient shall retain the books, documents, papers and records until the issues are resolved.
- G. Notice of Default. Recipient shall give DAS prompt written notice of any Default as soon as any senior administrative or financial officer of Recipient becomes aware of its existence or reasonably believes a Default is likely.
- H. Contribution.
- 1) If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Recipient with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.
  - 2) With respect to a Third Party Claim for which State is jointly liable with Recipient (or would be if joined in the Third Party Claim ), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Recipient in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the Recipient on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Recipient on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.
  - 3) With respect to a Third Party Claim for which Recipient is jointly liable with State (or would be if joined in the Third Party Claim), Recipient shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Recipient on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Recipient on the one

hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Recipient's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

## SECTION 6 - DEFAULTS

Any of the following constitutes an "Event of Default":

- A. Any false or misleading representation is made by or on behalf of Recipient, in this Agreement or in any document provided by Recipient related to this Grant.
- B. Recipient fails to perform any obligation required under this Agreement, other than those referred to in subsection A of this section 6, and that failure continues for a period of 10 business days after written notice specifying such failure is given to Recipient by DAS. DAS may agree in writing to an extension of time if it determines Recipient instituted and has diligently pursued corrective action.

## SECTION 7 - REMEDIES

- A. Remedies. Upon any Event of Default, DAS may pursue any or all remedies in this Agreement and any other remedies available at law or in equity to enforce the performance of any obligation of Recipient. Remedies may include, but are not limited to any one or more of the following:
  - (1) Terminating DAS's commitment and obligation to make the Grant.
  - (2) Barring Recipient from applying for future awards.
  - (3) Withholding amounts otherwise due to Recipient for application to the payment of amounts due under this Agreement.
  - (4) Requiring repayment of the Grant and all interest earned by Recipient on those Grant funds.
- B. Application of Moneys. Any moneys collected by DAS pursuant to section 7.A will be applied first, to pay any attorneys' fees and other fees and expenses incurred by DAS; then, as applicable, to repay any Grant proceeds owed; then, to pay other amounts due and payable under this Agreement, if any.
- C. No Remedy Exclusive; Waiver; Notice. No remedy available to DAS is intended to be exclusive, and every remedy will be in addition to every other remedy. No delay or omission to exercise any right or remedy will impair or is to be construed as a waiver of such right or remedy. No single or partial exercise of any right power or privilege under this Agreement will preclude any other or further exercise thereof or the exercise of any other such right, power or privilege. DAS is not required to provide any notice in order to exercise any right or remedy, other than notice required in section 7 of this Agreement.





If to Recipient:

ATTN: Sam Kelly-Quatrocchi  
225 5<sup>th</sup> St  
Springfield, OR 97477  
[skellyquattrocchi@springfield-or.gov](mailto:skellyquattrocchi@springfield-or.gov)

- E. No Construction against Drafter. This Agreement is to be construed as if the parties drafted it jointly.
- F. Severability. If any term or condition of this Agreement is declared by a court of competent jurisdiction as illegal, invalid or unenforceable, that holding will not invalidate or otherwise affect any other provision.
- G. Amendments, Waivers. This Agreement may not be amended without the prior written consent of DAS (and when required, the Department of Justice) and Recipient. This Agreement may not be amended in a manner that is not in compliance with the Authorization. No waiver or consent is effective unless in writing and signed by the party against whom such waiver or consent is sought to be enforced. Such waiver or consent will be effective only in the specific instance and for the specific purpose given.
- H. Attorneys' Fees and Other Expenses. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Agreement is entitled to recover its reasonable attorneys' fees and costs at trial and on appeal. Reasonable attorneys' fees cannot exceed the rate charged to DAS by its attorneys.
- I. Choice of Law; Designation of Forum; Federal Forum. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement.
- Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.
- Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.
- J. Integration. This Agreement (including all exhibits, schedules or attachments, if any) constitutes the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Agreement.
- K. Survival. The following provisions survive expiration or termination of this Agreement: Sections 5.C., 5.E., 5.F., 5.H., 6, 7, 8.H., 8.I and 8.K. Moreover, unless this Agreement is terminated pursuant to Section 7.A., Recipient may continue using Grant funds to complete the Project beyond the Expiration Date.

L. Execution in Counterparts. This Agreement may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.

Recipient, by its signature below, acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

**STATE OF OREGON**  
acting by and through its  
Department of Administrative Services

**RECIPIENT**  
City of Springfield

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:**

David Berryman, Assistant Attorney General, via email dated 8/31/2023