



Eugene City Council

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Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

December 9, 2013

5:30 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

7:30 p.m. CITY COUNCIL MEETING

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of December 9, 2013;
Her Honor Mayor Kitty Piercy Presiding**

Councilors

George Brown, President

Pat Farr, Vice President

Mike Clark

George Poling

Chris Pryor

Claire Syrett

Betty Taylor

Alan Zelenka

**CITY COUNCIL MEETING and MEETING OF THE EUGENE URBAN RENEWAL AGENCY
Harris Hall**

- 1. PUBLIC FORUM**
- 2. CONSENT CALENDAR**

(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

- A. **Approval of City Council Minutes**
 - B. **Approval of Tentative Working Agenda**
 - C. **Appointment to Lane Workforce Partnership**
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- 3. **PUBLIC HEARING AND ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014**
 - 4. **PUBLIC HEARING AND ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year Beginning July 1, 2013, and Ending June 30, 2014**
 - 5. **PUBLIC HEARING: Ordinance Vacating the Portion of West 4th Alley Located between 4th and 5th Avenues and Lincoln and Charnelton Streets (VRI 13-1)**
 - 6. **PUBLIC HEARING: An Ordinance Concerning Stormwater Management and Amending Sections 9.0500, 9.4780, 9.6790, 9.6791, 9.6792, 9.6796, 9.6797, 9.8030, 9.8055, 9.8090, 9.8100, 9.8215, 9.8220, 9.8320, 9.8325, 9.8440, 9.8445, 9.8515, and 9.8520 of the Eugene Code, 1971; and Providing an Effective Date**

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un intérprete avisando con 48 horas de anticipación. También se provee el servicio de intérpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo están grabadas en vivo en Metro Television, canal 21 de Comcast y después en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,

or visit us online at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Forum

Meeting Date: December 9, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: December 9, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Kris Bloch
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the November 12, 2013, Meeting, November 13, 2013, Work Session, November 18, 2013, Work Session and Meeting, and November 20, 2013, Work Session.

ATTACHMENTS

- A. November 12, 2013, Meeting
- B. November 13, 2013, Work Session
- C. November 18, 2013, Work Session and Meeting
- D. November 20, 2013, Work Session

FOR MORE INFORMATION

Staff Contact: Kris Bloch
Telephone: 541-682-8497
Staff E-Mail: kris.d.bloch@ci.eugene.or.us

ATTACHMENT A**MINUTES**

**Eugene City Council
Bascom/Tykeson Room, Eugene Public Library
Eugene, Oregon**

**November 12, 2013
7:30 p.m.**

Councilors Present: George Brown, Alan Zelenka, George Poling, , Chris Pryor, Claire Syrett, Mike Clark (via conference phone)

Councilors Absent: Betty Taylor, Greg Evans

Mayor Piercy opened the October 12, 2013, City Council meeting and read an excerpt from President Obama's Veterans Day proclamation.

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG (Veterans Day)**
Representatives from St. Vincent De Paul's Veterans In Progress program led those present in reciting the Pledge of Allegiance.
- 2. PUBLIC FORUM:**
 1. Gordon Levitt, spoke about efforts to raise awareness about climate change.
 2. Nicholas Fox, asked the council to enact an ordinance to combat global warming.
 3. Julia Olson, voiced concern about climate change, global warming, and environmental impacts.
 4. Tayo Olson, said the mural at Willamette and 27th is to raise awareness about climate change.
 5. Maggie and Sahara, supported Option 3 for the S. Willamette redesign.
 6. Ama Mykyta, expressed concern about global warming and environment protection.
 7. Kyra Gunther, asked the council to address global warming/environmental issues.
 8. Pete Frost, said action is needed now on a global recovery plan.
 9. Candace Shorack, expressed gratitude for the Eugene/Jinju Sister City program.
 10. Christina Lu, reported on her experiences visiting South Korea.
 11. Yasmeen Pelayo, reported on her experiences visiting South Korea.
 12. Yesenia Flores, reported on her experiences visiting South Korea.
 13. Clara Riordan, reported on her experiences visiting South Korea.
 14. Alex Page, supported Option 3 for the S. Willamette Street redesign.
 15. Andrew Russ, said corporate personhood decision should be overturned.
 16. Wayne Martin, asked council to consider a motion to identify a different rest stop site.
 17. Sabra Marcroft, supported Mr. Martin's suggested motion and said she is grateful to live here.
 18. Rachel Sanders, supported Option 3 for the S. Willamette Street redesign.
 19. Kristopher Cahoon, supported Option 3 for the S. Willamette Street redesign.
 20. Art Bowman, supported climate change efforts and Mr. Martin's proposal on a new camp site.
 21. Sue Sierralupe', requested a hand washing station for Occupy Medical to prevent the flu.
 22. Alley Valkyrie, supported Mr. Martin's suggestion for new homeless camp site.
 23. John Monroe, supported the suggestion for new camp site, noting visibility is important.
 24. Kelsey Moore, supported Option 3 for S. Willamette Street redesign.
 25. Michael Carrigan, expressed concern about conditions at the NW Expressway rest stop site.

Item 2.A.

- 26. Jonathan Meyers, expressed frustration with University Police enforcement policies.
- 27. Jordan Bailey, supported Option 3 for S. Willamette Street redesign.
- 28. Janet O'Bryant, voiced concern about homeless camping on city streets.

The City Manager indicated he would follow up about a hand washing station for Occupy Medical.

3. CONSENT CALENDAR

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to approve the items on the Consent Calendar. **PASSED 6:0.**

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT B

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**November 13, 2013
12:00 p.m.**

Councilors Present: George Brown, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Councilors Absent: Betty Taylor

Mayor Piercy opened the November 13, 2013, City Council work session.

A. COMMITTEE REPORTS

The Mayor and councilors reported on various committees and meetings including Lane Metro Partnership, Metropolitan Waste Water Commission, Lane Regional Air Protection Agency, Lane Transit District/West Eugene EmX Steering Committee, and the Housing Policy Board.

B. WORK SESSION: Update on Ordinance 20498 - Encouraging the Use of Reusable Bags by Banning Single-Use Plastic Bags

Zero Waste Community Outreach Analyst Stephanie Scafa gave a presentation and reviewed the results of surveys done to gauge the effectiveness of the ordinance encouraging the use of reusable bags by banning single-use plastic bags.

Council Discussion:

- Determine what the City's role is in legislating behavior.
- Survey results are skewed; northeast Eugene areas not represented.
- Explore the use of incentives for customers who bring their own bags.
- Examine whether bag fee cap should be implemented.
- Ordinance is working; no reason to change at this time.
- Continue efforts to educate residents about why the charge for paper bags was included in the ordinance.

**C. WORK SESSION:
Human Rights Code/Transgender Amendments**

Neighborhood Services Manager Michael Kinnison explained that this item was to update the Eugene City Code to align with State Code definitions of gender identity.

Councilors expressed general support for the proposed code amendments.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Zelenka, moved to hold a public hearing on the topic of updating the Eugene City Code to bring the local code into alignment with State law related to gender identity. **PASSED:** 7:0.

The meeting adjourned at 1:10 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT C

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**November 18, 2013
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Mayor Piercy opened the November 18, 2013, City Council work session.

A. WORK SESSION: Multi-Unit Property Tax Exemption (MUPTE) Program Revisions

Urban Services Manager Denny Braud introduced the item and provided background and general information about MUPTE.

Council Comments/Discussion:

- Improving inventory of affordable housing a priority.
- Certified payroll may help ensure that local workers are being employed on projects.
- Create robust public process to educate public about why this program is beneficial.
- Interest expressed in contracting with women and minorities for construction work.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to include W. 11th Avenue in the MUPTE boundary. **PASSED** 6:2; Councilors Taylor and Brown opposed.

The following items were identified for further council discussion: local hiring practices, financial gain cap, affordable housing (fee vs. construction requirement), energy-efficient buildings, application scoring system, and percentage-of-median-income threshold for affordable housing qualification.

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**November 18, 2013
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Mayor Piercy opened the November 18, 2013, City Council meeting. Senior Planner, Alissa Hunter-Hansen introduced this topic and provided some general information to the Mayor, Council and community members.

1. PUBLIC HEARING:

Ordinance 1 - An Ordinance Concerning Single Family Code Amendments for Accessory Buildings, Alley Access Lots and Secondary Dwellings; Amending Sections 9.0500, 9.2740, 9.2741, 9.2750, 9.2751, 9.2760, 9.2761, 9.3125, 9.3626, 9.6105, 9.6410, 9.6505, 9.6745, 9.6775, 9.6870, 9.8030, and 9.8405 of the Eugene Code, 1971; Adding Sections 9.1245, 9.2737 and 9.2779 to that Code; and Providing an Effective Date

Ordinance 2 - An Ordinance Concerning Single Family Code Amendment Protection Measures Specific to the University Area; Amending Sections 9.1245, 9.2735, 9.2740, 9.2741, 9.2750, 9.2751, 9.2761, 9.6410, 9.6745, 9.8030, and 9.8415 of the Eugene Code, 1971; and Providing an Effective Date (City File CA 13-3)

Senior Planner Alissa Hansen introduced the topic and provided general information about the proposed code changes.

1. Bill Aspegren - supported the interim protection measures but not the R-1 amendments.
2. Pamela Miller - supported the interim protection measures but not the R-1 amendments.
3. Carolyn Jacobs - supported the interim protection measures but not the R-1 amendments.
4. Marsha Shankman - supported the interim protection measures but not the R-1 amendments.
5. Sue Prichard - supported the changes; separate protection measures from R-1 changes.
6. Nancy Reckord - supported the interim measures and preserving neighborhood livability.
7. Tim Shinabarger - asked council to hold record open for an additional week; not supportive
8. Bill Randall - represented the Planning Commission and provided info on their deliberation.
9. Libby Bottero - requested that Amazon Neighborhood be removed from the interim measures.
10. Mia Nelson - said not enough is being done to increase density within urban growth boundary.
11. David Sonnichson - supported the interim protection measures; suggested an area study.
12. Andrew Fisher - asked council to delay action so neighborhoods can study proposal.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Poling, moved to leave the record open for an additional week. **PASSED 8:0.**

2. ACTION: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Text, Chapter IV; Adopting a Severability Clause; and Providing an Effective Date (City of Eugene File MA 13-3)

Interim Planning Director Carolyn Burke introduced the item and fielded questions from the Mayor and council.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to adopt Council Bill 5101 amending the Eugene-Springfield Metropolitan Area General Plan text, Chapter IV; adopting a severability clause; and providing an effective date. **PASSED** 8:0.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT D**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**November 20, 2013
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Mayor Piercy opened the November 20, 2013, City Council work session.

A. WORK SESSION: An Ordinance Concerning Stormwater Management

Development Review Manager Peggy Keppler introduced the item, reviewed the proposed changes, and clarified suggestions made by the Planning Commission.

Councilors indicated an interest in having the Sustainability Commission review the TBL analysis of this proposal and provide comments to the council it takes action.

B. WORK SESSION: Homelessness Policy Framework

Community Programs Analyst Michael Wisth and Policy Systems Analyst Jason Dedrick introduced the topic and provided updates on the City's homeless initiatives as well as several other programs such as the St. Vincent de Paul Car Camping Program and Opportunity Village.

Council Discussion:

Councilors noted liability concerns, particularly related to health issues and had questions about how are those issues will be addressed at the new camp site(s).

The Mayor asked for an update on the status of Looking Glass and some of the other programs funded by Lane County Health and Human Services in order to identify and mitigate current service gaps.

MOTION: Councilor Poling, seconded by Councilor Clark, moved to direct the City Manager to require rest-stop providers to purchase liability insurance to protect the City, with the amount of insurance at least equal to the limits of City liability under the Oregon Tort Claims Act.

MOTION TO TABLE: Councilor Zelenka, seconded by Councilor Brown, moved to table.
FAILED 3:5, Councilors Clark, Poling, Pryor, Syrett and Taylor opposed.

The council requested that staff bring back additional information about types of insurance policies as well as the cost and coverage limits.

REVISED MOTION AND VOTE: Councilor Poling, seconded by Councilor Clark, moved to direct the City Manager to bring back to council a proposal to require rest-stop providers to purchase liability insurance to protect the City, with the amount of insurance at least equal to the limits of City liability under the Oregon Tort Claims Act. **PASSED** 6:2, Councilors Syrett and Taylor opposed.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT E

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**November 27, 2013
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Mayor Piercy opened the November 27, 2013, City Council meeting.

A. CIVIC STADIUM

MOTION and VOTE: Councilor Brown, seconded by Councilor Taylor, moved to direct the City Manager to submit a purchase offer using Park Bond funds for Civic Stadium property to the 4-J School Board by December 3, 2013, with the offer contingent on other parties entering into an agreement with the City within 60 days, satisfactory to the city manager, that guarantees private funds for the cost of renovating, maintaining and operating Civic Stadium. **PASSED 5:4**, Councilors Poling, Clark, Pryor and Evans opposed; Mayor broke tie in favor.

EXECUTIVE SESSION: The council met in Executive Session pursuant to ORS 192.660(2)(e).

The council reconvened in public session.

MOTION: Councilor Syrett, seconded by Councilor Zelenka, moved to direct the City Manager to submit a purchase offer using Park Bond funds for Civic Stadium property to the 4-J School Board by December 3, 2013, with the offer contingent on other parties entering into an agreement with the City within 60 days, satisfactory to the city manager, that guarantees not less than \$4 million of private funds for the cost of renovating, maintaining and operating Civic Stadium.

A friendly amendment specifying that the party that plans to renovate, maintain and operate Civic Stadium must submit a business plan contingent on Council approval was accepted.

MOTION to AMEND and VOTE: Councilor Pryor, seconded by Councilor Clark moved to amend the main motion to require not less than \$5.5 million of private funds for the cost of renovating, maintaining and operating Civic Stadium. **PASSED 7:1**, Councilor Poling opposed.

VOTE on MAIN MOTION as AMENDED (restated): Move to direct the City Manager to submit a purchase offer using Park Bond funds for Civic Stadium property to the 4-J School Board by December 3, 2013, with the offer contingent on other parties (1) entering into an agreement with the City within 60 days, satisfactory to the city manager, that guarantees private funds of not less than \$5.5 million for the cost of renovating, maintaining and operating Civic Stadium, and (2) submitting a business plan for Civic Stadium that is reviewed and approved by City Council. **PASSED 5:3**, Councilors Poling, Clark and Pryor opposed.

The meeting adjourned at 2:00 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: December 9, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

Staff has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

December 4, 2013

DECEMBER 9	MONDAY	
5:30 p.m. Harris Hall A. WS: Budget Committee	Budget Committee Meeting Expected Absences:	90 mins – CS/Silvers
7:30 p.m. Harris Hall	Council Meeting Expected Absences:	
	1. Public Forum 2. Consent Calendar <ul style="list-style-type: none"> a. Approval of City Council Minutes b. Approval of Tentative Working Agenda c. Appointment to Lane Workforce Partnership Board 3. PH and Action: City of Eugene FY14 Supplemental Budget #1 4. PH and Action: Urban Renewal Agency FY14 Supplemental Budget #1 5. PH: Ordinance on CB Simons Alley Vacation (VRI 13-1) 6. PH: Ordinance on Stormwater Development Standards	CS/Forrest CS/Forrest CS/Forrest CS/Silvers CS/Silvers PDD/Ochs PW/Keppler

DECEMBER 11	WEDNESDAY	
Noon Harris Hall	Council Work Session Expected Absences:	
A. WS: River Road/Santa Clara Follow-Up B. WS: The Big Look – Economic Prosperity		45 mins – CS/Gardner 45 mins – PDD/Medary

COUNCIL BREAK: December 12, 2013 – January 8, 2014

JANUARY 8	WEDNESDAY	
5:30 p.m. Hult Center	State of the City Address Expected Absences:	
A. State of the City		

JANUARY 13	MONDAY	
5:30 p.m. Harris Hall	Council Work Session Expected Absences:	
A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC B. WS: Budget Discussion		30 mins 60 mins – CS/Silvers
7:30 p.m. Harris Hall	Council Meeting Expected Absences:	
1. Election of City Council Officers for 2014 2. Public Forum 3. Consent Calendar <ul style="list-style-type: none"> a. Approval of City Council Minutes b. Approval of Tentative Working Agenda c. Resolution Acknowledging Receipt of FY13 Comprehensive Annual Financial Report 4. URA Action: Resolution Acknowledging Receipt of FY13 URA Annual Financial Report 5. PH and Possible Action: Ord. on State Traffic Law Re-adoption 6. Action: Ordinance on Stormwater Development Standards 7. Action: Ordinance on CB Simons Alley Vacation (VRI 13-1) 8. WS: Fossil Fuel Divestment Initiative	CS/Forrest CS/Forrest CS/Cronin CS/Cronin CS/Cronin CS/Cronin PW/Keppler PDD/Ochs CS/Miller	

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

December 4, 2013

JANUARY 15 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
 A. WS: Civic Stadium Business Plan Review (tentative) 45 mins - PDD
 B. WS: Joint Meeting with Police Commission 45 mins – EPD/Hawley

JANUARY 21 TUESDAY

7:30 p.m. Council Public Hearing
Harris Hall Expected Absences: Zelenka
 1. PH: Ordinance on Envision Eugene Implementation - Employment Zone Code Amendments PDD/Burke
 2. PH and Possible Action: Stormwater System Development Charge Methodology Modification PW/McVey
 3. PH: Ordinance on Human Rights/Transgender Code Amendments CS/Foltz

JANUARY 22 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences: Zelenka
 A. WS: Envision Eugene - Residential Redesignations and Employment Zone 90 mins – PDD/Burke

JANUARY 27 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences: Zelenka
 A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager 30 mins
 B. WS: Fireworks 45 mins - Fire EMS/
 C. WS: Pesticide Use as a Last Alternative 45 mins – PW/Finney

7:30 p.m. Council Meeting
Harris Hall Expected Absences: Zelenka
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes CS/Forrest
 b. Approval of Tentative Working Agenda CS/Forrest
 3. Action: Stormwater System Development Charge Methodology Modification (if needed) PW/McVey
 4. Action: Ordinance on Human Rights/Transgender Code Amendments CS/Foltz

JANUARY 29 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences: Zelenka
 A. WS: City Hall 90 mins – CS/Penwell

FEBRUARY 10 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports: Chamber of Commerce, HPB, LRAPA, MWMC 30 mins
 B. WS: MUPTE Revisions 60 mins - PDD/Braud

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes CS/Forrest
 b. Approval of Tentative Working Agenda CS/Forrest

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

December 4, 2013

FEBRUARY 12	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Envision Eugene Implementation Ordinance: Employment Zone Code Amendments		90 mins – PDD/Burke

FEBRUARY 18	TUESDAY
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7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH: Envision Eugene Implementation Ordinance: Residential Redesignations		PDD/Burke
2. PH: Annual Hazardous Substance User Fee Ordinance		Fire/Eppli

FEBRUARY 19	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: 2013 Implementation of Bond Measure to Fix Streets		45 mins – PW/Corey
B. WS: Climate Action Planning		45 mins – CS/O'Sullivan

FEBRUARY 24	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. Action: Envision Eugene Implementation Ordinance: Employment Zone Code Amendments		PDD/Burke

FEBRUARY 26	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Envision Eugene Implementation Ordinance: Residential Redesignations		45 mins – PDD/Burke
B. WS:		

MARCH 10	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed		
B. WS: Urban Forestry Policy/Sidewalks		45 mins – PW/Snyder

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. Action: Envision Eugene Implementation Ordinance: Residential Redesignations		PDD/Burke
4. Action: Annual Hazardous Substance User Fee Ordinance		Fire/Eppli

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

December 4, 2013

MARCH 12 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
 A. WS: South Willamette Street Improvement Plan 90 mins – PW/Henry

COUNCIL BREAK: March 13, 2014 – April 9, 2014

APRIL 9 WEDNESDAY

12:00 p.m. Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

APRIL 14 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC 30 mins
 B. WS:

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes CS/Forrest
 b. Approval of Tentative Working Agenda CS/Forrest

APRIL 16 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

APRIL 21 MONDAY

7:30 p.m. Council Public Hearing
Harris Hall Expected Absences:
 1. PH:

APRIL 23 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
 A. WS: Striker Field Redesignation 45 mins – PW/Björklund
 B. WS:

APRIL 28 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences: Zelenka
 A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager 30 mins
 B. WS:

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA
 December 4, 2013

7:30 p.m.
Harris Hall

Council Meeting
Expected Absences: Zelenka

1. Public Forum
2. Consent Calendar
 - a. Approval of City Council Minutes
 - b. Approval of Tentative Working Agenda

CS/Forrest
 CS/Forrest

APRIL 30

WEDNESDAY

Noon
Harris Hall

Council Work Session
Expected Absences:

- A. WS:
- B. WS:



EUGENE CITY COUNCIL AGENDA ITEM SUMMARY

Appointment to Lane Workforce Partnership

Meeting Date: December 9, 2013
 Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2C
 Staff Contact: Beth Forrest
 Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is an action item to appoint a member to the Lane Workforce Partnership (LWP).

BACKGROUND

The Workforce Investment Act of 1998 requires that local workforce investment boards, i.e., the Lane Workforce Partnership Board of Directors, be comprised of a majority of members from businesses. Business representation must be owners of businesses, chief executives, or operating officers of business or employers with optimum policy-making or hiring authority; represent businesses with employment opportunities that reflect the employment opportunities of the local area, and are appointed from among individuals nominated by local business organizations, such as the Eugene Chamber and business trade associations.

The Lane Workforce Partnership, formerly known as the Southern Willamette Private Industry Council, is dedicated to assisting employers recruit and retain employees and to help individuals find employment and to progress in their careers.

There are 15 members on the LWP board, including one elected official and seven business representatives. The business representatives are recommended by the Eugene Area Chamber of Commerce to the Mayor, who then nominates the candidate for appointment by the City Council.

The term for this position will begin immediately upon appointment and will expire December 31, 2016.

RELATED CITY POLICIES

The boards, committees and commissions serve as advisory bodies to the City Council in the development of various City policies.

COUNCIL OPTIONS

The City Council can vote to approve the nominee; request additional information or background on the nominee and delay the vote, or reject the nominee and reopen the recruitment.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item; appointments are made by the council.

SUGGESTED MOTION

There is one position on the Lane Workforce Partnership board of directors for which appointment has been requested. The Mayor recommends the following:

Move to appoint Phil Hohnstein to the Lane Workforce Partnership board of directors for a term beginning December 1, 2013, and ending on December 31, 2016.

ATTACHMENT

A. Letter from LWP and application materials

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us



LANE WORKFORCE PARTNERSHIP
1500 Valley River Dr. • Ste 150 • Eugene, OR 97401

November 22, 2013

Beth Forrest
Mayor's Office
City of Eugene
777 Pearl Street, Room 105
Eugene, OR 97401-2793

Dear Beth:

The Lane Workforce Partnership board of directors has recruited a new member to its board. The Lane Workforce Partnership requests appointment of Phil Hohnstein, Administrator of Hillside Heights Rehabilitation Center. Enclosed is his completed City of Eugene application.

The Workforce Investment Act of 1998 requires that local workforce investment boards, i.e., the Lane Workforce Partnership board of directors, be comprised of a majority from business. Business representation must be owners of businesses, chief executives, or operating officers of business or employers with optimum policymaking or hiring authority; represent businesses with employment opportunities that reflect the employment opportunities of the local area and; are appointed from among individuals nominated by local business organizations, i.e., the Eugene Chamber, and business trade associations.

We are requesting the Eugene City Council appoint Phil Hohnstein to serve on the Lane Workforce Partnership board of directors from December 1, 2013 through December 31, 2016.

If you have any questions concerning the nomination process, please call me at 682-7228 or email lonnieb@laneworkforce.org

Sincerely,

Lonnie Bivins
Manager, Communications and Board Relations

Enclosure

**City of Eugene
Additional for Appointment to
Citizen Advisory Boards and Commissions**



Name of Board, Commission, or Committee LANE WORKFORCE PARTNERSHIP

Please print or type

Name PHILLIP WILLIAM HOHNSTEIN
First Middle Last

Home Address 3950 GOODPASTURE LOOP/EUGENE 97401
Street E131 City Zip

Home Telephone 541-941-7547 Daytime Telephone 541-683-2155

Do you reside within the city limits? Yes No If yes, how long? 2 MONTHS

City Council Ward _____ Neighborhood Organization GOODPASTURE ISLAND NEIGHBORS

Occupation/Place of Employment HILLSIDE HEIGHTS REHAB CENTER No. of Employees 60

Business Address 1201 McLEAN BLVD, EUGENE, OR. 97405

Fax number (if applicable) 541-343-7289 Email (if applicable) philhohnstein@hillside-

How did you learn of this vacancy? Newspaper Word of Mouth Mail Web page heights.com

Other source REFERRAL BY JIM FONG/SOUTHERN OREGON HEALTHCARE WORKFORCE

NOTE: Information consisting of home addresses and phone numbers may be exempt from disclosure per ORS 192.502(3).

OPTIONAL INFORMATION

The Eugene City Council supports diversity and seeks to appoint persons who represent the diversity of the community. By providing the information below, you can help the City Council to know if the appointments match the diversity of the community. Applicants are considered without regard to race, sex, color, national origin, age, religion, marital status, medical condition, or disability. In some instances, however, appointment to certain boards/commissions may be based upon the need to fill specific positions on the board/commission.

- Male Female
- 18 and under 19-25 26-35 36-45 46-55 56-65 66 +
- African American American Indian/Alaskan Native Asian/Pacific Islander Hispanic
- Middle Eastern White/European American Multiracial
- Disability? Yes No If yes, please describe _____
- Fluent in language(s) other than English? Yes No If yes, please list _____

Continued:

City of Eugene
Additional for Appointment to
Citizen Advisory Boards and Commissions

1. What experience, training, and/or qualifications do you have for this particular board or commission?

HAVING WORKED IN LONG-TERM CARE FOR OVER 18 YEARS, FROM CERTIFIED NURSING ASSISTANT TO ADMINISTRATOR, I HAVE A GOOD GRASP ON ALL ASPECTS OF HEALTHCARE WORKFORCE NEEDS AND CHALLENGES. MOST NOTABLY, FOR OVER TWO YEARS I HAVE BEEN AN ACTIVE MEMBER IN THE REGIONAL COMMUNITY COLLEGE NURSING ADVISORY BOARD AND SOUTHWEST OREGON HEALTHCARE WORKFORCE STEERING COMMITTEE THAT HAS ADDRESSED THE SAME CHALLENGES FACING THIS WORKFORCE BOARD.

2. What specific contribution do you hope to make to the board or commission? Why do you want to become a member?

HAVING BEEN A PART OF THE S.O. HEALTHCARE WORKFORCE STEERING COMMITTEE, I HAVE SEEN THE MANY REWARDS OF DIVERSE BUSINESS, EDUCATION AND JOB READINESS WORKING TOGETHER IN PROMOTING SKILL SETS AND SUSTAINABLE JOBS. ADDITIONALLY, HAVING WORKED ON SECURING A TAACCCT GRANT AS A COMMITTED EMPLOYER HAS BEEN BENEFICIAL TO THE COMMUNITY. BECOMING A MEMBER IS IMPORTANT TO MY CONTINUING SERVICE TO THE WORKFORCE ENVIRONMENT AND ATTAINING PERSONAL AND PROFESSIONAL GOALS.

3. List any professional or associations of which you are a member.

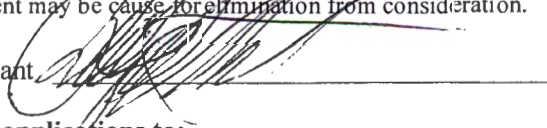
- MEMBER OF OREGON HEALTHCARE ASS. - RCC NURSING PROGRAM ADVISORY BOARD
- MEMBER OF ROTARY/ACTIVE MEMBER -
- MEMBER/LICENSED NURSING HOME ADMINISTRATOR

NOTE: To allow a large number of citizens to serve on boards and commissions, the City Council policy allows individuals to serve on only one standing board or commission at a time. A current member of a board/commission who is a successful applicant for another board/commission will be required to choose between the two appointments. This policy does not apply to ad hoc committees or departmental committees or positions that are designated for members of specific advisory group (e.g. the Human Rights Commission member assigned to the Police Commission).

CITY COUNCIL POLICY REGARDING REAPPOINTMENT TO BOARDS AND COMMISSIONS

1. Members of city advisory groups may serve a maximum of two consecutive terms when the length of the term is three years or more. Individuals serving terms less than three years will be limited to a total of six consecutive years of service.
2. The deadline for applications from incumbents is the same as the deadline for new applications.
3. An individual may reapply for appointment to a board or commission after at least a one year hiatus from service.
4. City of Eugene employees may not serve on City of Eugene boards or commissions except as specifically provided by the City Code, or as required to perform official duties.

Information submitted on this application is public information. The information provided herein is true and complete. A false or misleading statement may be cause for elimination from consideration.

Signature of Applicant 

Date October 23, 2013

Return completed applications to:
City Manager's Office
777 Pearl Street, Room 105
Eugene, OR 97401
541-682-5010
541-682-5414 (Fax) (Applications may be faxed)
For more information, visit our web site at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing and Action: Resolution Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014

Meeting Date: December 9, 2013
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3
 Staff Contact: Vicki Silvers
 Contact Telephone Number: (541) 682-5082

ISSUE STATEMENT

Council approval of the first Supplemental Budget (SB1) for Fiscal Year 2014 (FY14) is requested. Oregon Local Budget Law (ORS 294.471) allows for supplemental budgets in the event of “an occurrence or condition that is not ascertained when preparing the original budget or a previous supplemental budget for the current year.” ORS 294.471 also allows for a supplemental budget if there are “funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget.” This Supplemental Budget does not authorize any increase in the property tax levy and has been published in compliance with the Oregon Local Budget Law.

BACKGROUND

The Supplemental Budget that occurs in December of a fiscal year is usually the largest because of the audit adjustments to budgeted Beginning Working Capital and the reappropriation of funds from the prior fiscal year for contracts, program initiatives or projects that were started but not completed in that fiscal year. This Supplemental Budget also recognizes new revenue and authorizes other unanticipated changes in legal appropriations.

Transactions Related to Beginning Working Capital

Isler & Company, LLC, the City's external auditor, has completed its Fiscal Year 2013 (FY13) audit, and this Supplemental Budget includes Marginal Beginning Working Capital (MBWC) adjustments for all City funds. The MBWC is the difference between the estimate of ending working capital that was made in the adopted budget for FY14 and the audited actual FY13 revenues and expenditures. This adjustment is recognized on SB1 and is the largest component of the transactions included in this budget request.

General Fund Carryover Reconciliation

The total of the Marginal Beginning Working Capital adjustment and the FY14 budgeted reserve for encumbrances in the Main Subfund of the General Fund is \$4,517,871. Of this amount, \$1,104,010 is dedicated to prior fiscal year encumbrances (contracts that were in effect but not completed as of June 30) and \$814,135 is dedicated to reappropriation of prior project funding such as Homeless Winter Strategies, Economic Prosperity Plan and Buckley House. The City

Manager's recommendation for use of the remaining \$2,599,726 of carryover resources along with a summary of the General Fund reappropriations and other uses of MBWC is included in Attachment A.

Additionally, the City Manager is recommending the use of General Fund MBWC for the following purposes:

- \$1,500,000 interfund transfer to the Facility Replacement Reserve in the Facilities Services Fund for the City Hall project, which includes reallocation of \$500,000 from the General Capital Fund transfer plus an additional \$1,000,000.
- \$400,000 interfund transfer to the General Capital Projects Fund for capital preservation projects, which is reduced by \$500,000 due to reallocation to the City Hall project as stated above;
- \$100,000 intrafund transfer to the Equipment Replacement Subfund to pay for Fire turnout gear and hydrant replacement;
- \$15,000 increase in the Central Services Department operating budget to cover the costs associated with the court-appointed attorney contract.

After completing these transactions, and adding \$310,684 from MBWC, there will be a total of \$9,791,607 budgeted in the Facility Replacement Reserve. The MBWC adjustment in the reserve was mainly due to the receipt of \$300,000 from the remaining sale proceeds from 858 Pearl Street.

Reserve for Revenue Shortfall

The City Manager is recommending that the remaining \$584,726, after taking into account the above uses of MBWC, be placed in the Reserve for Revenue Shortfall. After this Supplemental Budget, there will be a total of \$5,480,301 in the Reserve for Revenue Shortfall, which represents 4.2 percent of the FY14 adopted General Fund operating expenditures. This represents a decrease in the Reserve for Revenue Shortfall of \$5,117,426 from the end of the previous fiscal year.

General Fund Ending Working Capital

FY13 actual results show an ending working capital (EWC) in the General Fund, reporting fund (including the Main Subfund, Cultural Services Subfund and Equipment Replacement Subfund) of \$38,845,192 which is \$2,828,246 less than the FY12 EWC and \$3,477,471 more than anticipated for carryover resources in the FY14 Adopted Budget. These figures are reported on a Budget Basis of accounting.

On a Generally Accepted Accounting Principles (GAAP) basis, the FY12 Ending Fund Balance represented 35 percent of the General Fund revenues in FY12, which dropped to 31 percent based upon FY13 actual results. GAAP results differ from budget basis results because the budget is created on a modified accrual basis while GAAP rules are slightly different in terms of when revenues and expenditures are recognized. The chart below compares FY12 and FY13 Ending Fund Balance for the General Fund (GAAP Basis).

General Fund Ending Fund Balance GAAP Basis	Main Subfund	Cultural Services Subfund	Equipment Replacement Subfund	Total Reporting Fund
FY12	\$39,481,346	\$2,383,763	\$1,225,757	\$43,090,866
FY13	\$36,114,771	\$2,320,742	\$1,114,343	\$39,549,856
Change	(\$ 3,366,575)	(\$ 63,021)	(\$ 111,414)	(\$ 3,541,010)

General Fund Revenue Adjustments

This Supplemental Budget includes a total of \$2,258,355 in General Fund (Main Subfund) revenue increases. These revenues include grant revenues rebudgeted from the prior fiscal year, new FY14 grant revenues, Police dispatching and reimbursable overtime charges, and Police charges to the Oregon Department of Transportation (ODOT). Operating budget appropriations for the departments receiving these revenues are being increased by the same amount.

Capital Carryover

The Capital Project Carryover Reconciliation is also included in this Supplemental Budget. An estimate of the unspent balance in each capital project was established in the FY14 Adopted Budget. These estimates have been reconciled with the actual FY13 expenditures, and the Capital Budget is adjusted to reflect the remaining unspent balances in each project. The Capital Carryover on this Supplemental Budget reduces the Capital Budget by \$6,887,242 and increases Balance Available by the same amount.

Recognition of New Revenues

There are transactions on this Supplemental Budget that recognize new revenues, primarily from grants and other governmental agencies, and increase the operating, capital and non-departmental budgets. In some cases, capital project support from other governments for ongoing projects is put into Balance Available because the project is currently budgeted, and the fund is being reimbursed for a share of the costs already appropriated or incurred. Grants that are received over a period of more than one fiscal year have their appropriation balances and revenues re-budgeted in the current fiscal year.

Non-General Fund Transactions

This Supplemental Budget recognizes approximately \$12 million in non-general fund transactions, other than MBWC, encumbrances and capital carryover reconciliation. Most of this total is reflected in recognizing and re-budgeting \$7.4 million in grants and other agency revenue. This Supplemental Budget also includes non-general fund reappropriations for projects not completed in the prior fiscal year. Other non-general fund transactions are described in Attachment A.

Timing

In some cases, expenditure authority is needed immediately to carry out City Council direction or to meet legal or program requirements. Approval of SB1 in December allows the organization to prepare more accurate mid-year projections by having the general ledger reflect the audited balances in each fund. This, in turn, enables staff to more accurately project the Beginning Working Capital for the next fiscal year's Proposed Budget.

RELATED CITY POLICIES

These transactions conform to the City's Financial Management Goals and Policies.

COUNCIL OPTIONS

Particular requests requiring more information or discussion may be removed from the supplemental budget and delayed for action in a future supplemental budget. In certain cases there may be a financial or legal impact to delaying budget approval. The council may also adopt amended appropriation amounts or funding sources for specific requests in the supplemental budget.

CITY MANAGER'S RECOMMENDATION

Approve the attached resolution adopting the Supplemental Budget.

SUGGESTED MOTION

Move to adopt Resolution 5098, adopting a Supplemental Budget; making appropriations for the City of Eugene for the Fiscal Year beginning July 1, 2013, and ending June 30, 2014.

ATTACHMENTS

- A. Transaction Summary
- B. Resolution

FOR MORE INFORMATION

Staff Contact: Vicki Silvers
Telephone: (541) 682-5082
Staff E-Mail: Vicki.j.silvers@ci.eugene.or.us

OR

Staff Contact: Twylla Miller
Telephone: (541) 682-8417
Staff E-Mail: Twylla.j.miller@ci.eugene.or.us

Attachment A

Transaction Summary

010 General Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	35,367,721	3,477,471	a,c,d	38,845,192
CHANGE TO WORKING CAPITAL				
REVENUE				
Taxes	97,351,000	0		97,351,000
Licenses/Permits	6,367,700	0		6,367,700
Intergovernmental	4,007,140	1,179,514	b	5,186,654
Rental	114,068	0		114,068
Charges for Services	11,225,228	1,035,805	b	12,261,033
Fines/Forfeitures	2,143,775	0		2,143,775
Miscellaneous	474,850	42,155	b	517,005
Interfund Transfers	9,767,993	0		9,767,993
Total Revenue	131,451,754	2,257,474		133,709,228
TOTAL RESOURCES	166,819,475	5,734,945		172,554,420
II. REQUIREMENTS				
Department Operating				
Central Services	21,600,609	664,740	a,f	22,265,349
Fire & Emergency Medical Svcs	25,453,538	1,089,495	a,b,g	26,543,033
Library, Rec & Cultural Svcs	25,081,425	142,881	a,b,d	25,224,306
Planning and Development	6,039,638	825,978	a	6,865,616
Police	45,490,101	1,911,990	a,b,g	47,402,091
Public Works	6,238,088	18,096	a	6,256,184
Total Department Operating	129,903,399	4,653,180		134,556,579
Non-Departmental				
Debt Service	224,000	0		224,000
Interfund Transfers	4,395,350	1,900,000	a	6,295,350
Contingency	47,000	0		47,000
Intergovernmental Expenditures	900,000	0		900,000
Reserves	8,040,036	821,455	a,c,e,g	8,861,491
Reserve for Encumbrances	1,639,690	(1,639,690)	a,d,f	0
UEFB	21,670,000	0		21,670,000
Total Non-Departmental	36,916,076	1,081,765		37,997,841
TOTAL REQUIREMENTS	166,819,475	5,734,945		172,554,420

010 General Fund

Main Subfund (011) (continued from previous page):

a) **Carryover Reconciliation:**

Carryover Resources:

Beginning Working Capital Adjustment *	\$2,961,202
Reserve for Encumbrances	\$1,556,669
Total Funds Available for Appropriation	\$4,517,871

Carryover Distributions:

Reserve for Encumbrances Distribution to Departments:

Central Services Department	\$518,684
Fire and Emergency Medical Services Department	\$88,446
Library, Recreation, and Cultural Services Department	\$10,579
Planning and Development Department	\$425,188
Police Department	\$43,017
Public Works Department	\$18,096
Total Encumbrance Distribution to Departments	\$1,104,010

Reappropriations from Prior Fiscal Year:

Central Services	\$119,056
Fire and Emergency Medical Services	\$103,500
Library, Recreation, and Cultural Services	\$0
Planning and Development	\$400,790
Police	\$190,789
Public Works	\$0
Total Reappropriations from Prior Fiscal Year	\$814,135

Other One-Time Funding Requests:

Interfund Transfer to the Facilities Services Fund for the City Hall Project	\$1,500,000
Interfund Transfer to the General Capital Projects Fund for Capital Preservation Projects	\$400,000
Intrafund Transfer to the Equipment Replacement Fund for Turnout and Hydrant Funding	\$100,000
Court Appointed Attorney Contract	\$15,000
Increase in Reserve for Revenue Shortfall	\$584,726
Total Other One-Time Funding Requests	\$2,599,726

Total Carryover Resources Appropriated	\$4,517,871
---	--------------------

* **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital in the Main Subfund of the General Fund by \$2,961,202, which is the difference from FY13 audited actuals versus estimated revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

010 General Fund

Main Subfund (011) (continued from previous page):

b) **Revenue Adjustments:** These transactions rebudget grant revenues from prior fiscal year, recognize new FY14 revenues, and increase operating appropriations in the following Departments:

<u>Fire and Emergency Medical Services Department</u>	
Assistance to Firefighter Grant	\$528,065
<u>Library, Recreation, and Cultural Services Department</u>	
Lane Transit bike safety education grant	\$4,675
Gray Family Foundation grant for middle school outdoor education	\$10,000
Jane Higdon Foundation bicycle safety education and training grant	\$11,606
BEST afterschool programs grant	\$35,000
<u>Police Department</u>	
Various public safety grants	\$590,168
Dispatching charges; reimbursable overtime	\$1,035,805
Dedicated Youth/Police Outreach	\$43,036
Total Revenue Adjustments	\$2,258,355

Cultural Services Subfund (031):

c) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$163,808, and increase the Cultural Services Reserve by the same amount to adjust the budgeted Beginning Working Capital to the audited amount.

d) **Encumbrance Estimate Reconciliation:** Increase the Library, Recreation and Cultural Services (LRCS) Department operating appropriations by \$71,021 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and decrease the Reserve for Encumbrances by the same amount.

Equipment Replacement Subfund (041):

e) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$352,461, and increase the Equipment Replacement Subfund Reserve by the same amount to adjust the budgeted Beginning Working Capital to the audited amount.

f) **Encumbrance Estimate Reconciliation:** Increase the Central Services Department operating appropriations by \$12,000 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and decrease the Reserve for Encumbrances by the same amount.

g) **Reappropriations:** Decrease the Equipment Replacement Subfund reserve by \$279,540, and increase Fire & EMS Department operating appropriations for equipment replacement not completed in the prior fiscal year by \$269,484 and increase Police Department operating appropriations for equipment replacement not completed in the prior fiscal year by \$10,056.

010 General Fund

h) **Summary of the General Fund Reserves (All Subfunds):**

	FY13 Budget	FY14 Adopted	FY14 SB1 Action	FY14 Revised
General Fund Reserve for Revenue Shortfall	\$10,597,727	\$4,895,575	\$584,726	\$5,480,301
General Fund Reserve for Property Tax Appeals	\$1,000,000	\$1,000,000	\$0	\$1,000,000
Reserve for Prior Year Encumbrances	\$2,481,889	\$1,639,690	(\$1,639,690)	\$0
Cultural Services Subfund Reserve	\$1,962,297	\$1,575,459	\$163,808	\$1,739,267
Cultural Services Reserve - Dedicated Donations for Arts	\$32,504	\$32,667	\$0	\$32,667
Equipment Replacement Reserve	\$744,935	\$536,335	\$72,921	\$609,256
Total	\$16,819,352	\$9,679,726	(\$818,235)	\$8,861,491

110 Special Assessments Management Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	1,217,381	29,166	a	1,246,547
CHANGE TO WORKING CAPITAL				
REVENUE				
Charges for Services	45,420	0		45,420
Miscellaneous	14,250	0		14,250
Interfund Transfers	30,000	0		30,000
Fiscal Transactions	5,100	0		5,100
Total Revenue	<u>94,770</u>	<u>0</u>		<u>94,770</u>
TOTAL RESOURCES	<u>1,312,151</u>	<u>29,166</u>		<u>1,341,317</u>
II. REQUIREMENTS				
Department Operating				
Central Services	89,709	0		89,709
Total Department Operating	<u>89,709</u>	<u>0</u>		<u>89,709</u>
Non-Departmental				
Interfund Transfers	8,000	0		8,000
Misc. Fiscal Transactions	30,000	0		30,000
Reserve	50,000	0		50,000
Balance Available	1,134,442	29,166	a	1,163,608
Total Non-Departmental	<u>1,222,442</u>	<u>29,166</u>		<u>1,251,608</u>
TOTAL REQUIREMENTS	<u>1,312,151</u>	<u>29,166</u>		<u>1,341,317</u>

110 Special Assessments Management Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$29,166, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

130 Public Safety Communications Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	2,115,286	277,260	a	2,392,546
CHANGE TO WORKING CAPITAL				
REVENUE				
Intergovernmental	803,550	0		803,550
Charges for Services	2,572,146	0		2,572,146
Miscellaneous	11,708	881	b	12,589
Interfund Transfers	81,050	0		81,050
Total Revenue	3,468,454	881		3,469,335
TOTAL RESOURCES	5,583,740	278,141		5,861,881
II. REQUIREMENTS				
Department Operating				
Police	3,344,544	42,533	b,c	3,387,077
Total Department Operating	3,344,544	42,533		3,387,077
Non-Departmental				
Interfund Transfers	188,000	0		188,000
Intergovernmental Expend.	0	500,000	d	500,000
Reserve	1,188,070	0		1,188,070
Balance Available	863,126	(264,392)	a,b,c,d	598,734
Total Non-Departmental	2,239,196	235,608		2,474,804
TOTAL REQUIREMENTS	5,583,740	278,141		5,861,881

130 Public Safety Communications Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$277,260, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **New Revenues:** Recognize special event revenues in the amount of \$881 and increase appropriations for youth/police outreach public information program by the same amount. Increase appropriations for Communications Center and Regional Radio System equipment by \$56,016 and decrease balance available by \$55,135

c) **Encumbrance Estimate Reconciliation:** Reduce the Police Department operating appropriations by \$13,483 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

d) **Intergovernmental Payment:** One time intergovernmental payment to close out the Regional Radio Master Site Fund and transfer the balance to the Lane County Sheriff's Office, and reduce balance available by the same amount.

Item 3.
131 Road Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	3,150,525	334,870	a	3,485,395
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	1,660,000	0		1,660,000
Intergovernmental	9,073,424	0		9,073,424
Rental	57,801	0		57,801
Charges for Services	56,545	0		56,545
Miscellaneous	95,000	0		95,000
Total Revenue	10,942,770	0		10,942,770
TOTAL RESOURCES	14,093,295	334,870		14,428,165
II. REQUIREMENTS				
Department Operating				
Public Works	11,562,590	(399,320)	b,c,d	11,163,270
Total Department Operating	11,562,590	(399,320)		11,163,270
Non-Departmental				
Interfund Transfers	779,000	0		779,000
Balance Available	1,751,705	734,190	a,c,d	2,485,895
Total Non-Departmental	2,530,705	734,190		3,264,895
TOTAL REQUIREMENTS	14,093,295	334,870		14,428,165

131 Road Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$334,870, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Encumbrance Estimate Reconciliation:** Reduce the Public Works Department operating appropriations by \$819,686 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

c) **Pothole Program and ROW Project Reappropriation:** Reappropriate \$26,777 in FY13 pothole program funding and \$393,589 in Right of Way Vacation Sales funding to finish work on unimproved streets and pothole repairs, and decrease Balance Available by the same amount.

135 Telecom Registration/Licensing Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	5,521,099	2,209,080	a	7,730,179
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	2,900,000	0		2,900,000
Total Revenue	2,900,000	0		2,900,000
TOTAL RESOURCES	8,421,099	2,209,080		10,630,179
II. REQUIREMENTS				
Department Operating				
Central Services	3,226,037	1,349,336	b,d	4,575,373
Total Department Operating	3,226,037	1,349,336		4,575,373
Capital Projects				
Capital Carryover	184,577	(2,593)	c	181,984
Total Capital Projects	184,577	(2,593)		181,984
Non-Departmental				
Interfund Transfers	490,000	0		490,000
Reserve	276,907	64,000	b	340,907
Balance Available	4,243,578	798,337	a,b,c,d	5,041,915
Total Non-Departmental	5,010,485	862,337		5,872,822
TOTAL REQUIREMENTS	8,421,099	2,209,080		10,630,179

135 Telecom Registration/Licensing Fund

- a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$2,209,080, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.
- b) **Telecommunication Project Reappropriation:** Reappropriate \$1,515,243 in unspent FY13 funds towards Telecommunications projects, increase the Central Services Department operating appropriations by \$1,515,243, increase Equipment Replacement Reserve by \$64,000, and decrease Balance Available by \$1,579,243.
- c) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$2,593, and increase Balance Available by the same amount. This action reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.
- d) **Encumbrance Estimate Reconciliation:** Reduce the Central Services Department operating appropriations by \$165,907 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

150 Construction and Rental Housing Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	2,115,350	113,394	a	2,228,744
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	3,260,000	0		3,260,000
Charges for Services	3,390,500	0		3,390,500
Fines/Forfeitures	35,000	0		35,000
Miscellaneous	380,600	0		380,600
Total Revenue	7,066,100	0		7,066,100
TOTAL RESOURCES	9,181,450	113,394		9,294,844
II. REQUIREMENTS				
Department Operating				
Fire/Emergency Medical Svcs	280,280	0		280,280
Planning and Development	5,455,828	0		5,455,828
Public Works	414,743	0		414,743
Total Department Operating	6,150,851	0		6,150,851
Non-Departmental				
Interfund Transfers	677,000	0		677,000
Intergovernmental Expend.	565,000	0		565,000
Balance Available	1,788,599	113,394	a	1,901,993
Total Non-Departmental	3,030,599	113,394		3,143,993
TOTAL REQUIREMENTS	9,181,450	113,394		9,294,844

150 Construction and Rental Housing Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$113,394, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

155 Solid Waste/Recycling Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	431,630	26,841	a	458,471
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	839,000	0		839,000
Charges for Services	0	0		0
Miscellaneous	1,703	0		1,703
Total Revenue	<u>840,703</u>	<u>0</u>		<u>840,703</u>
TOTAL RESOURCES	<u>1,272,333</u>	<u>26,841</u>		<u>1,299,174</u>
II. REQUIREMENTS				
Department Operating				
Central Services	54,962	0		54,962
Planning and Development	759,303	0		759,303
Total Department Operating	<u>814,265</u>	<u>0</u>		<u>814,265</u>
Non-Departmental				
Interfund Transfers	77,000	0		77,000
Balance Available	381,068	26,841	a	407,909
Total Non-Departmental	<u>458,068</u>	<u>26,841</u>		<u>484,909</u>
TOTAL REQUIREMENTS	<u>1,272,333</u>	<u>26,841</u>		<u>1,299,174</u>

155 Solid Waste/Recycling Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$26,841, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

170 Community Development Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	3,864,043	(1,516,823)	a	2,347,220
CHANGE TO WORKING CAPITAL				
REVENUE				
Intergovernmental	3,941,300	1,343,359	a,b	5,284,659
Charges for Services	83,950	0		83,950
Miscellaneous	698,300	0		698,300
Fiscal Transactions	2,541,000	0		2,541,000
Total Revenue	7,264,550	1,343,359		8,607,909
TOTAL RESOURCES	11,128,593	(173,464)		10,955,129
II. REQUIREMENTS				
Department Operating				
Central Services	6,000	0		6,000
Planning and Development	3,296,938	382,561	a,b,c	3,679,499
Total Department Operating	3,302,938	382,561		3,685,499
Capital Projects				
Capital Projects	677,250	117,318	b	794,568
Capital Carryover	460,000	(189,110)	d	270,890
Total Capital Projects	1,137,250	(71,792)		1,065,458
Non-Departmental				
Debt Service	248,000	0		248,000
Interfund Transfers	124,000	0		124,000
Misc. Fiscal Transactions	5,536,337	(515,844)	a	5,020,493
Reserve	780,068	29,198	a	809,266
Balance Available	0	2,413	a,c,d	2,413
Total Non-Departmental	6,688,405	(484,233)		6,204,172
TOTAL REQUIREMENTS	11,128,593	(173,464)		10,955,129

170 Community Development Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$1,516,823, increase grant revenues by \$493,290, decrease Planning and Development operating appropriations by \$8,000, increase reserves by \$29,198, decrease Historic Preservation and Commercial Revitalization Trust loan appropriations by \$515,844, and decrease Balance Available by \$528,887. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **New Revenues:** Recognize Brownfield Assessment Coalition Grant revenue in the amount of \$644,473, CDBG grant funding for curb ramps and accessible pedestrian signals in the amount of \$117,318, Lane Livability Grant funding of \$88,278 and increase Planning and Development Department operating appropriations by \$850,069.

c) **Encumbrance Estimate Reconciliation:** Reduce the Planning and Development Department operating appropriations by \$342,190 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

d) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$189,110, and increase Balance Available by the same amount. This action reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

180 Library, Parks, and Recreation Special Revenue Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	3,756,304	7,200	a	3,763,504
CHANGE TO WORKING CAPITAL				
REVENUE				
Intergovernmental	0	173,830	b	173,830
Miscellaneous	361,597	118,669	b	480,266
Total Revenue	418,517	292,499		711,016
TOTAL RESOURCES	4,174,821	299,699		4,474,520
REQUIREMENTS				
Department Operating				
Library, Rec & Cultural Svcs	348,500	0		348,500
Total Department Operating	348,500	0		348,500
Capital Projects				
Capital Projects	50,765	292,499	b	343,264
Capital Carryover	1,125,134	(2,413)	c	1,122,721
Total Capital Projects	1,175,899	290,086		1,465,985
Non-Departmental				
Reserve	2,320,567	134,244	a	2,454,811
Balance Available	329,855	(124,631)	a,c	205,224
Total Non-Departmental	2,650,422	9,613		2,660,035
TOTAL REQUIREMENTS	4,174,821	299,699		4,474,520

180 Library, Parks, and Recreation Special Revenue Fund

- a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$7,200, increase Reserves by \$134,244, and decrease Balance Available by \$124,631. These adjustments bring the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.
- b) **New Revenues:** Recognize Oregon Parks and Recreation Department (OPRD) grant revenue for Washington Jefferson Park Rehabilitation in the amount of \$173,830; Bascom Donation for Hayes Memorial Tree Garden in the amount of \$118,669 and increase capital appropriations by the same amount.
- c) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$2,413, and increase Balance Available by the same amount. This action reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

211 General Obligation Debt Service Fund

	FY11 Adopted	FY11 SB1 Action	a	FY11 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	15,104	385,671	a	400,775
CHANGE TO WORKING CAPITAL				
REVENUE				
Taxes	13,344,359	0		13,344,359
Miscellaneous	10,000	0		10,000
Total Revenue	13,354,359	0		13,354,359
TOTAL RESOURCES	13,369,463	385,671		13,755,134
II. REQUIREMENTS				
Non-Departmental				
Debt Service	13,369,463	385,671	a	13,755,134
Total Non-Departmental	13,369,463	385,671		13,755,134
TOTAL REQUIREMENTS	13,369,463	385,671		13,755,134

211 General Obligation Debt Service Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$385,671, and increase the Debt Service budget by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

250 Special Assessment Bond Debt Service Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	402,324	76,274	a	478,598
CHANGE TO WORKING CAPITAL				
REVENUE				
Miscellaneous	80,048	0		80,048
Fiscal Transactions	388,900	0		388,900
Total Revenue	468,948	0		468,948
TOTAL RESOURCES	871,272	76,274		947,546
II. REQUIREMENTS				
Non-Departmental				
Debt Service	485,000	0		485,000
Interfund Transfers	10,000	0		10,000
Reserve	376,272	76,274	a	452,546
Total Non-Departmental	871,272	76,274		947,546
TOTAL REQUIREMENTS	871,272	76,274		947,546

250 Special Assessment Bond Debt Service Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$76,274, and increase the Reserve by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

310 General Capital Projects Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	16,821,643	(11,477,039)	a	5,344,604
CHANGE TO WORKING CAPITAL				
REVENUE				
Rental	20,000	0		20,000
Miscellaneous	19,000	0		19,000
Interfund Transfers	2,779,300	400,000	c	3,179,300
Fiscal Transactions	0	10,580,954	a	10,580,954
Total Revenue	2,818,300	10,980,954		13,799,254
TOTAL RESOURCES	19,639,943	(496,085)		19,143,858
II. REQUIREMENTS				
Department Operating				
Library, Rec & Cultural Svcs	20,000	0		20,000
Total Department Operating	20,000	0		20,000
Capital Projects				
Capital Projects	2,827,160	352,388	a,c	3,179,548
Capital Carryover	16,037,391	(814,453)	b	15,222,938
Total Capital Projects	18,864,551	(462,065)		18,402,486
Non-Departmental				
Debt Service	50,000	0		50,000
Reserve	27,560	0		27,560
Balance Available	677,832	(34,020)	a,b	643,812
Total Non-Departmental	755,392	(34,020)		721,372
TOTAL REQUIREMENTS	19,639,943	(496,085)		19,143,858

310 General Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$11,477,039, increase General Obligation Bond Proceeds by \$10,580,954 to re-budget revenue for bonds authorized but not sold in the prior fiscal year, decrease capital appropriations by \$47,612, and decrease Balance Available by \$34,020. These adjustments bring the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$814,453, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

c) **Interfund Transfer:** Recognize \$400,000 in General Fund interfund transfer revenue, and increase capital appropriations for capital preservation projects by the same amount.

330 System Development Capital Projects Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	10,547,432	1,737,624	a	12,285,056
CHANGE TO WORKING CAPITAL				
REVENUE				
Rental	100,000	0		100,000
Charges for Services	1,833,101	0		1,833,101
Miscellaneous	57,299	0		57,299
Total Revenue	1,990,400	0		1,990,400
TOTAL RESOURCES	12,537,832	1,737,624		14,275,456
II. REQUIREMENTS				
Department Operating				
Planning and Development	87,957	0		87,957
Public Works	289,212	0		289,212
Total Department Operating	377,169	0		377,169
Capital Projects				
Capital Projects	2,095,000	0		2,095,000
Capital Carryover	4,073,225	(282,797)	b	3,790,428
Total Capital Projects	6,168,225	(282,797)		5,885,428
Non-Departmental				
Interfund Transfers	42,000	0		42,000
Balance Available	5,950,438	2,020,421	a,b	7,970,859
	5,992,438	2,020,421		8,012,859
TOTAL REQUIREMENTS	12,537,832	1,737,624		14,275,456

330 System Development Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$1,737,624, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$282,797, and increase Balance Available by the same amount. The adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

340 Transportation Capital Projects Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	12,320,830	(6,297,201)	a	6,023,629
CHANGE TO WORKING CAPITAL				
REVENUE				
Taxes	2,940,000	0		2,940,000
Intergovernmental	0	1,037,852	b	1,037,852
Rental	40,000	0		40,000
Charges for Services	10,000	0		10,000
Interfund Transfers	30,000	0		30,000
Fiscal Transactions	5,689,458	4,174,890	a	9,864,348
Total Revenue	8,709,458	5,212,742		13,922,200
TOTAL RESOURCES	21,030,288	(1,084,459)		19,945,829
II. REQUIREMENTS				
Capital Projects				
Capital Projects	8,649,458	40,682	c	8,690,140
Capital Carryover	12,187,697	(1,107,842)	d	11,079,855
Total Capital Projects	20,837,155	(1,067,160)		19,769,995
Non-Departmental				
Debt Service	30,000	0		30,000
Balance Available	163,133	(17,299)	a,b,c,d	145,834
Total Non-Departmental	193,133	(17,299)		175,834
TOTAL REQUIREMENTS	21,030,288	(1,084,459)		19,945,829

340 Transportation Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$6,297,201, increase Draws on General Obligation Line of Credit for bonds authorized but not sold in the prior fiscal year by \$4,174,890, and decrease Balance Available by \$2,122,311. These adjustments bring the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Rebudget Prior Year Revenues: Recognize** intergovernmental revenues in the amount of \$1,037,852 for externally funded projects not completed in prior fiscal years, including North Bank Path Rehabilitation and Lighting, Fern Ridge Path between Chambers and Arthur Streets, and various Pavement Preservation Projects, and increase Balance Available by the same amount.

c) **Capital Appropriation Adjustments:** Increase capital appropriations by \$40,682 for the Street Tree Program and decrease Balance Available by the same amount.

d) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$1,107,842, and increase Balance Available by the same amount. The adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

350 Special Assessment Capital Projects Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	1,403,824	(50,141)	a	1,353,683
CHANGE TO WORKING CAPITAL				
REVENUE				
Miscellaneous	21,600	0		21,600
Fiscal Transactions	17,400	0		17,400
Total Revenue	39,000	0		39,000
TOTAL RESOURCES	1,442,824	(50,141)		1,392,683
II. REQUIREMENTS				
Capital Projects				
Capital Projects	0	0		0
Capital Carryover	67,064	0		67,064
Total Capital Projects	67,064	0		67,064
Non-Departmental				
Debt Service	0	0		0
Interfund Transfers	20,000	0		20,000
Balance Available	1,355,760	(50,141)	a	1,305,619
Total Non-Departmental	1,375,760	(50,141)		1,325,619
TOTAL REQUIREMENTS	1,442,824	(50,141)		1,392,683

350 Special Assessment Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$50,141 and decrease Balance Available by \$50,141. These adjustments bring the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

510 Municipal Airport Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	23,280,543	(5,034,928)	a	18,245,615
CHANGE TO WORKING CAPITAL				
REVENUE				
Intergovernmental	6,251,805	3,371,164	c	9,622,969
Rental	3,527,591	0		3,527,591
Charges for Services	4,849,305	70,000	c	4,919,305
Fines/Forfeitures	8,200	0		8,200
Miscellaneous	39,994			39,994
Fiscal Transactions	75,252	0		75,252
Total Revenue	14,752,147	3,441,164		18,193,311
TOTAL RESOURCES	38,032,690	(1,593,764)		36,438,926
II. REQUIREMENTS				
Department Operating				
Central Services	0	0		0
Fire/Emergency Medical Svcs	814,564	0		814,564
Police	462,096	70,000		532,096
Public Works	6,011,303	(50,177)	c,d	5,961,126
Total Department Operating	7,287,963	19,823		7,307,786
Capital Projects				
Capital Projects	9,185,000	0		9,185,000
Capital Carryover	12,882,623	(3,286,913)	b	9,595,710
Total Capital Projects	22,067,623	(3,286,913)		18,780,710
Non-Departmental				
Interfund Transfers	512,000	0		512,000
Reserve	4,290,422	(1,651,382)	a	2,639,040
Balance Available	3,874,682	3,324,708	a,b,c,d	7,199,390
Total Non-Departmental	8,677,104	1,673,326		10,350,430
TOTAL REQUIREMENTS	38,032,690	(1,593,764)		36,438,926

510 Municipal Airport Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$5,034,928, decrease reserves by \$1,651,382, and decrease Balance Available by the \$3,383,546. This adjustment brings the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$3,286,913, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

c) **Rebudget Prior Year Revenues:** Recognize intergovernmental revenues supporting previously budgeted Airport capital projects in the amount of 3,371,164 and increase Balance Available by the same amount. Increase charges for services and Police expenditures for \$70,000 to cover staffing agreement.

d) **Encumbrance Estimate Reconciliation:** Decrease the Public Works Department operating appropriations by \$50,177 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

520 Parking Services Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	78,563	103,322	a	181,885
CHANGE TO WORKING CAPITAL				
REVENUE				
Rental	566,000	0		566,000
Charges for Services	4,344,534	0		4,344,534
Fines/Forfeitures	970,200	0		970,200
Total Revenue	<u>5,885,734</u>	<u>0</u>		<u>5,885,734</u>
TOTAL RESOURCES	<u>5,964,297</u>	<u>103,322</u>		<u>6,067,619</u>
II. REQUIREMENTS				
Department Operating				
Central Services	332,518	0		332,518
Planning and Development	3,340,801	0		3,340,801
Public Works	57,306	0		57,306
Total Department Operating	<u>3,730,625</u>	<u>0</u>		<u>3,730,625</u>
Capital Projects				
Capital Projects	50,000	0		50,000
Capital Carryover	78,563	(353)	b	78,210
Total Capital Projects	<u>128,563</u>	<u>(353)</u>		<u>128,210</u>
Non-Departmental				
Interfund Transfers	1,984,575	0		1,984,575
Balance Available	120,534	103,675	a,b	224,209
Total Non-Departmental	<u>2,105,109</u>	<u>103,675</u>		<u>2,208,784</u>
TOTAL REQUIREMENTS	<u>5,964,297</u>	<u>103,322</u>		<u>6,067,619</u>

520 Parking Services Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$103,322, and increase Balance Available by the same amount. This adjustment brings the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$353, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

530 Wastewater Utility Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	4,988,572	(862,140)	a	4,126,432
CHANGE TO WORKING CAPITAL				
REVENUE				
Charges for Services	47,334,620	1,039,863	b	48,374,483
Fines/Forfeitures	2,900	0		2,900
Miscellaneous	29,000	0		29,000
Total Revenue	<u>47,366,520</u>	<u>1,039,863</u>		<u>48,406,383</u>
TOTAL RESOURCES	<u>52,355,092</u>	<u>177,723</u>		<u>52,532,815</u>
II. REQUIREMENTS				
Department Operating				
Public Works	20,918,924	740,370	b,c	21,659,294
Total Department Operating	<u>20,918,924</u>	<u>740,370</u>		<u>21,659,294</u>
Capital Projects				
Capital Projects	2,105,000			2,105,000
Capital Carryover	2,550,036	(428,147)	d	2,121,889
Total Capital Projects	<u>4,655,036</u>	<u>(428,147)</u>		<u>4,226,889</u>
Non-Departmental				
Interfund Transfers	1,408,000	0		1,408,000
Intergovernmental Expend.	24,122,800	0		24,122,800
Balance Available	1,250,332	(134,500)	a,b,c,d	1,115,832
Total Non-Departmental	<u>26,781,132</u>	<u>(134,500)</u>		<u>26,646,632</u>
TOTAL REQUIREMENTS	<u>52,355,092</u>	<u>177,723</u>		<u>52,532,815</u>

530 Wastewater Utility Fund

a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$862,140, and decrease Balance Available by the same amount. This adjustment brings the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Wastewater Project Reappropriation:** Recognize Charges for Services revenues in the amount of \$1,039,863, and increase Public Works Department operating appropriations by the same amount for Wastewater equipment replacement and rehabilitation projects.

c) **Encumbrance Estimate Reconciliation:** Decrease the Public Works Department operating appropriations by \$179,412 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

c) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$428,147, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

539 Stormwater Utility Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	7,839,217	(751,120)	a	7,088,097
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	108,500	0		108,500
Intergovernmental	0	601,998	b,c	601,998
Charges for Services	14,891,540	0		14,891,540
Miscellaneous	29,500	0		29,500
Interfund Transfers	0	0		0
Total Revenue	15,029,540	601,998		15,631,538
TOTAL RESOURCES	22,868,757	(149,122)		22,719,635
II. REQUIREMENTS				
Department Operating				
Public Works	13,859,384	27,689	c	13,887,073
Total Department Operating	13,859,384	27,689		13,887,073
Capital Projects				
Capital Projects	2,515,000	39,174	c	2,554,174
Capital Carryover	4,584,746	(652,090)	d	3,932,656
Total Capital Projects	7,099,746	(612,916)		6,486,830
Non-Departmental				
Interfund Transfers	934,000	0		934,000
Intergovernmental Expend.	15,000	0		15,000
Balance Available	960,627	436,105	a,b,d	1,396,732
Total Non-Departmental	1,909,627	436,105		2,345,732
TOTAL REQUIREMENTS	22,868,757	(149,122)		22,719,635

539 Stormwater Utility Fund

- a) **Beginning Working Capital Reconciliation:** Decrease the budgeted Beginning Working Capital by \$751,120, and decrease Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY132 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.
- b) **Rebudget Prior Year Revenues:** Recognize Intergovernmental revenues supporting previously budgeted capital projects in the amount of \$535,135, and increase Balance Available by the same amount.
- c) **New Revenues:** Recognize intergovernmental revenues associated with various Stormwater projects in the amount of \$66,863, increase the Public Works Department operating appropriations by \$27,689, and increase capital appropriations by \$39,174.
- d) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$652,090, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

592 Ambulance Transport Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	1,328,891	377,292	a	1,706,183
CHANGE TO WORKING CAPITAL				
REVENUE				
Charges for Services	6,460,311	0		6,460,311
Miscellaneous	88,474	0		88,474
Total Revenue	<u>6,548,785</u>	<u>0</u>		<u>6,548,785</u>
TOTAL RESOURCES	<u>7,877,676</u>	<u>377,292</u>		<u>8,254,968</u>
II. REQUIREMENTS				
Department Operating				
Fire/Emergency Medical Svcs	6,737,674	0		6,737,674
Total Department Operating	<u>6,737,674</u>	<u>0</u>		<u>6,737,674</u>
Non-Departmental				
Interfund Transfers	898,418	0		898,418
Balance Available	241,584	377,292	a	618,876
Total Non-Departmental	<u>1,140,002</u>	<u>377,292</u>		<u>1,517,294</u>
TOTAL REQUIREMENTS	<u>7,877,676</u>	<u>377,292</u>		<u>8,254,968</u>

592 Ambulance Transport Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$377,292, and increase Balance Available by the same amount. This adjustment brings the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

600 Fleet Services Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	13,835,314	2,239,762	a	16,075,076
CHANGE TO WORKING CAPITAL				
REVENUE				
Rental	25,000	0		25,000
Charges for Services	9,168,912	0		9,168,912
Miscellaneous	287,000	0		287,000
Interfund Transfers	1,515,000	0		1,515,000
Total Revenue	10,995,912	0		10,995,912
TOTAL RESOURCES	24,831,226	2,239,762		27,070,988
II. REQUIREMENTS				
Department Operating				
Public Works	13,678,870	1,035,528	b,c	14,714,398
Total Department Operating	13,678,870	1,035,528		14,714,398
Non-Departmental				
Interfund Transfers	364,000	0		364,000
Reserves	10,544,775	1,300,006	a,b,c	11,844,781
Balance Available	243,581	(95,772)	a,b	147,809
Total Non-Departmental	11,152,356	1,204,234		12,356,590
TOTAL REQUIREMENTS	24,831,226	2,239,762		27,070,988

600 Fleet Services Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$2,239,762, increase the Fleet Services Reserve by \$2,343,521, and decrease Balance Available by \$103,759. These adjustments bring the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Encumbrance Estimate Reconciliation:** Decrease the Public Works Department operating appropriations by \$129,690, increase the Fleet Services Reserve by \$121,703, and increase balance available by \$7,987 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid.

c) **Reappropriation:** Increase Public Works Department operating appropriations for vehicle replacement not completed in the prior fiscal year in the amount of \$1,165,218, and decrease the Fleet Services Reserve by the same amount.

610 Information Systems and Services Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	5,235,430	508,160	a	5,743,590
CHANGE TO WORKING CAPITAL				
REVENUE				
Charges for Services	6,428,918	500,000	b	6,928,918
Miscellaneous	27,200	0		27,200
Interfund Transfers	0	0		0
Total Revenue	<u>6,456,118</u>	<u>500,000</u>		<u>6,956,118</u>
TOTAL RESOURCES	<u>11,691,548</u>	<u>1,008,160</u>		<u>12,699,708</u>
II. REQUIREMENTS				
Department Operating				
Central Services	8,443,085	531,143	b,c	8,974,228
Total Department Operating	<u>8,443,085</u>	<u>531,143</u>		<u>8,974,228</u>
Non-Departmental				
Interfund Transfers	247,000	0		247,000
Reserve	2,634,343	109,856	a	2,744,199
Balance Available	367,120	367,161	a,b,c	734,281
Total Non-Departmental	<u>3,248,463</u>	<u>477,017</u>		<u>3,725,480</u>
TOTAL REQUIREMENTS	<u>11,691,548</u>	<u>1,008,160</u>		<u>12,699,708</u>

610 Information Systems and Services Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$508,160, increase the Reserve for Software Replacement by \$109,856, and increase Balance Available by \$398,304. These adjustments bring the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **New Revenues:** Recognize charge for service revenues from City of Springfield for the launch of the new Records Management System (RMS) and corresponding expenditures. Decrease Balance Available by \$86,293.

c) **Encumbrance Estimate Reconciliation:** Decrease the Central Services Department operating appropriations by \$324,747, and increase Balance Available by the same amount to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid.

b) **Reappropriations:** Increase the Central Services Department operating appropriations by \$269,597 in order to re-budget unspent FY13 funds for the City-wide Strategic Communications Plan (\$147,213) and a limited duration Web Analyst position (\$122,384), and decrease Balance Available by \$269,597.

615 Facilities Services Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	12,324,386	166,904	a	12,491,290
CHANGE TO WORKING CAPITAL				
REVENUE				
Rental	653,600	0		653,600
Charges for Services	8,321,841	0		8,321,841
Miscellaneous	8,000	0		8,000
Interfund Transfers	0	1,500,000	c	1,500,000
Total Revenue	8,983,441	1,500,000		10,483,441
TOTAL RESOURCES	21,307,827	1,666,904		22,974,731
II. REQUIREMENTS				
Department Operating				
Central Services	8,606,547	0		8,606,547
Planning and Development	271,456	0		271,456
Total Department Operating	8,878,003	0		8,878,003
Capital Projects				
Capital Projects	150,000	0		150,000
Capital Carryover	512,173	(112,242)	b	399,931
Total Capital Projects	662,173	(112,242)		549,931
Non-Departmental				
Debt Service	204,255	0		204,255
Interfund Transfers	377,000	0		377,000
Reserves	8,522,923	1,810,684	a,c	10,333,607
Balance Available	2,663,473	(31,538)	a,b	2,631,935
Total Non-Departmental	11,767,651	1,779,146		13,546,797
TOTAL REQUIREMENTS	21,307,827	1,666,904		22,974,731

615 Facilities Services Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$166,904, increase the Facility Reserve by \$310,684, and decrease Balance Available by \$31,538. These adjustments bring the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease capital appropriations by \$112,242, and increase Balance Available by the same amount. This adjustment reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

c) **Interfund Transfer:** Recognize \$1,500,000 in General Fund interfund transfer revenue for the City Hall project, and increase the Facility Replacement Reserve by the same amount.

620 Risk and Benefits Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	7,672,903	931,575	a	8,604,478
CHANGE TO WORKING CAPITAL				
REVENUE				
Intergovernmental	190,654	1,551	a	192,205
Charges for Services	35,809,878	0		35,809,878
Miscellaneous	378,500	0		378,500
Total Revenue	36,379,032	1,551		36,380,583
TOTAL RESOURCES	44,051,935	933,126		44,985,061
II. REQUIREMENTS				
Department Operating				
Central Services	31,613,668	(49,782)	b	31,563,886
Total Department Operating	31,613,668	(49,782)		31,563,886
Non-Departmental				
Debt Service	5,509,600	0		5,509,600
Interfund Transfers	180,000	0		180,000
Reserve	6,602,598	34,579	a	6,637,177
Balance Available	146,069	948,329	a,b	1,094,398
Total Non-Departmental	12,438,267	982,908		13,421,175
TOTAL REQUIREMENTS	44,051,935	933,126		44,985,061

620 Risk and Benefits Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$931,575, increase the Medical Rate Stabilization Reserve by \$28,276, increase the Debt Service Reserve by \$6,303, and increase Balance Available by \$896,996. These adjustments bring the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Encumbrance Estimate Reconciliation:** Decrease the Central Services Department operating appropriations by \$51,333 to reconcile the amount estimated for payment of obligations incurred but not paid in FY13 to the actual amount paid, and increase Balance Available by the same amount.

c) **Rebudget Prior Year Revenues:** Recognize Intergovernmental revenues in the amount of \$1,551 and increase the Central Services Department operating appropriations by the same amount.

630 Professional Services Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	4,533,409	110,553	a	4,643,962
CHANGE TO WORKING CAPITAL				
REVENUE				
Licenses/Permits	500	0		500
Charges for Services	5,264,947	0		5,264,947
Total Revenue	5,266,447	0		5,266,447
TOTAL RESOURCES	9,799,856	110,553		9,910,409
II. REQUIREMENTS				
Department Operating				
Public Works	5,445,508	(5)	b	5,445,503
Total Department Operating	5,445,508	(5)		5,445,503
Non-Departmental				
Interfund Transfers	488,000	0		488,000
Reserve	2,580,085	0		2,580,085
Balance Available	1,286,263	110,558	a,b	1,396,821
Total Non-Departmental	4,354,348	110,558		4,464,906
TOTAL REQUIREMENTS	9,799,856	110,553		9,910,409

630 Professional Services Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$110,553, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

d) **Encumbrance Estimate Reconciliation:** Reduce the Public Works Department operating appropriations by \$5 to reconcile the amount estimated for payment of obligations incurred but not paid in FY14 to the actual amount paid, and increase Balance Available by the same amount.

Resolution Number _____

Attachment B

**A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET;
MAKING APPROPRIATIONS FOR THE CITY OF EUGENE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2013,
AND ENDING JUNE 30, 2014.**

The City Council of the City of Eugene finds that Adopting the Supplemental Budget and Making Appropriations is necessary under ORS 294.471.

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, A
Municipal Corporation of the State of Oregon, as follows:

Section 1.

That the Supplemental Budget for the City of Eugene, Oregon, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, as set forth in attached Exhibit "A" is hereby adopted.

Section 2.

The supplemental amounts for the fiscal year beginning July 1, 2013, and ending June 30, 2014, and for the purposes shown in attached Exhibit "A" are hereby appropriated.

Section 3.

That this Supplemental Budget is prepared in accordance with ORS 294.471(1), which authorizes the formulation of a supplemental budget resulting from "An occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning." This Supplemental Budget was published in accordance with ORS 294.471(3).

Section 4.

This resolution complies with ORS 294.471(4), and does not authorize an increase in the levy of property taxes above the amount published in the Adopted Budget publication.

The foregoing resolution adopted this 9th day of December, 2013.

City Recorder

EXHIBIT "A"

Amounts
in dollarsGENERAL FUND

Departmental Operating	
Central Services	664,740
Fire and Emergency Medical Services	1,089,495
Library, Recreation and Cultural Services	142,881
Planning and Development	825,978
Police Department	1,911,990
Public Works	18,096
Total Departmental Operating	<u>4,653,180</u>
Non-Departmental	
Interfund Transfer	1,900,000
* Reserves	(818,235)
Total Non-Departmental	<u>1,081,765</u>
TOTAL GENERAL FUND	<u>5,734,945</u>

SPECIAL ASSESSMENT MANAGEMENT FUND

Non-Departmental	
* Balance Available	29,166
Total Non-Departmental	<u>29,166</u>
TOTAL SPECIAL ASSESSMENT MANAGEMENT FUND	<u>29,166</u>

ROAD FUND

Departmental Operating	
Public Works Department	(399,320)
Total Departmental Operating	<u>(399,320)</u>
Non-Departmental	
* Balance Available	734,190
Total Non-Departmental	<u>734,190</u>
TOTAL ROAD FUND	<u>334,870</u>

PUBLIC SAFETY COMMUNICATIONS FUND

Departmental Operating	
Police Department	42,533
Total Departmental Operating	<u>42,533</u>
Non-Departmental	
* Balance Available	(264,392)
Intergovernmental Expenditures	500,000
Total Non-Departmental	<u>235,608</u>
TOTAL PUBLIC SAFETY COMMUNICATIONS FUND	<u>278,141</u>

TELECOM REGISTRATION/LICENSING FUND

Departmental Operating	
Central Services Department	1,349,336
Total Departmental Operating	<u>1,349,336</u>
Capital Projects	
Capital Projects	(2,593)
Total Capital Projects	<u>(2,593)</u>
Non-Departmental	
* Reserves	64,000
* Balance Available	798,337
Total Non-Departmental	<u>862,337</u>
TOTAL TELECOM REGISTRATION/LICENSING FUND	<u>2,209,080</u>

CONSTRUCTION AND RENTAL HOUSING FUND

Non-Departmental	
* Balance Available	113,394
Total Non-Departmental	<u>113,394</u>
TOTAL CONSTRUCTION AND RENTAL HOUSING FUND	<u>113,394</u>

SOLID WASTE/RECYCLING FUND

Non-Departmental	
* Balance Available	26,841
Total Non-Departmental	<u>26,841</u>
TOTAL SOLID WASTE/RECYCLING FUND	<u>26,841</u>

COMMUNITY DEVELOPMENT FUND

Departmental Operating	
Planning and Development	382,561
Total Departmental Operating	<u>382,561</u>
Capital Projects	
Capital Projects	(71,792)
Total Capital Projects	<u>(71,792)</u>
Non-Departmental	
* Reserves	29,198
* Balance Available	2,413
Miscellaneous Fiscal Transactions	(515,844)
Total Non-Departmental	<u>(484,233)</u>
TOTAL COMMUNITY DEVELOPMENT FUND	<u>(173,464)</u>

LIBRARY, PARKS & RECREATION SPECIAL REVENUE FUND

Capital Projects	
Capital Projects	290,086
Total Capital Projects	<u>290,086</u>
Non-Departmental	
* Reserves	134,244
* Balance Available	(124,631)
Total Non-Departmental	<u>9,613</u>
TOTAL LIBRARY, PARKS & REC. SPECIAL REVENUE FUND	<u>299,699</u>

GENERAL OBLIGATION DEBT SERVICE FUND

Non-Departmental	
* Reserves	385,671
Total Non-Departmental	<u>385,671</u>
TOTAL GENERAL OBLIGATION DEBT SERVICE FUND	<u>385,671</u>

SPECIAL ASSESSMENT BOND DEBT SERVICE FUND

Non-Departmental	
* Reserves	76,274
Total Non-Departmental	<u>76,274</u>
TOTAL SPECIAL ASSESSMENT BOND DEBT SVC. FUND	<u>76,274</u>

GENERAL CAPITAL PROJECTS FUND

Capital Projects	
Capital Projects	(462,065)
Total Capital Projects	<u>(462,065)</u>
Non-Departmental	
* Balance Available	(34,020)
Total Non-Departmental	<u>(34,020)</u>
TOTAL GENERAL CAPITAL PROJECTS FUND	<u>(496,085)</u>

SYSTEMS DEVELOPMENT CAPITAL PROJECTS FUND

Capital Projects	
Capital Projects	(282,797)
Total Capital Projects	<u>(282,797)</u>
Non-Departmental	
* Balance Available	2,020,421
Total Non-Departmental	<u>2,020,421</u>
TOTAL SYSTEMS DEVELOPMENT CAP. PROJECTS FUND	<u>1,737,624</u>

TRANSPORTATION CAPITAL PROJECTS FUND

Capital Projects	
Capital Projects	(1,107,842)
Total Capital Projects	<u>(1,107,842)</u>
Non-Departmental	
* Balance Available	23,383
Total Non-Departmental	<u>23,383</u>
TOTAL TRANSPORTATION CAPITAL FUND	<u>(1,084,459)</u>

SPECIAL ASSESSMENTS CAPITAL PROJECTS FUND

Non-Departmental	
* Balance Available	(50,141)
Total Non-Departmental	<u>(50,141)</u>
TOTAL SPECIAL ASSESSMENTS CAP. PROJECTS FUND	<u>(50,141)</u>

MUNICIPAL AIRPORT FUND

Departmental Operating	
Police Department	70,000
Public Works	(50,177)
Total Departmental Operating	<u>19,823</u>
Capital Projects	
Capital Projects	(3,286,913)
Total Capital Projects	<u>(3,286,913)</u>
Non-Departmental	
* Reserves	(1,651,382)
* Balance Available	3,324,708
Total Non-Departmental	<u>1,673,326</u>
TOTAL MUNICIPAL AIRPORT FUND	<u>(1,593,764)</u>

PARKING SERVICES FUND

Capital Projects	
Capital Projects	(353)
Total Capital Projects	<u>(353)</u>
Non-Departmental	
* Balance Available	103,675
Total Non-Departmental	<u>103,675</u>
TOTAL PARKING SERVICES FUND	<u>103,322</u>

WASTEWATER UTILITY FUND

Departmental Operating	
Public Works	(18,554)
Total Departmental Operating	<u>(18,554)</u>
Capital Projects	
Capital Projects	(428,147)
Total Capital Projects	<u>(428,147)</u>
Non-Departmental	
* Balance Available	(134,500)
Total Non-Departmental	<u>(134,500)</u>
TOTAL WASTEWATER UTILITY FUND	<u>(581,201)</u>

STORMWATER UTILITY FUND

Departmental Operating	
Public Works	27,689
Total Departmental Operating	<u>27,689</u>
Capital Projects	
Capital Projects	(612,916)
Total Capital Projects	<u>(612,916)</u>
Non-Departmental	
* Balance Available	436,105
Total Non-Departmental	<u>436,105</u>
TOTAL STORMWATER UTILITY FUND	<u>(149,122)</u>

AMBULANCE TRANSPORT FUND

Non-Departmental	
* Balance Available	377,292
Total Non-Departmental	<u>377,292</u>
TOTAL EMERGENCY MEDICAL SERVICES FUND	<u>377,292</u>

FLEET SERVICES FUND

Departmental Operating	
Public Works	1,035,528
Total Departmental Operating	<u>1,035,528</u>
Non-Departmental	
* Reserves	1,300,006
* Balance Available	(95,772)
Total Non-Departmental	<u>1,204,234</u>
TOTAL FLEET SERVICES FUND	<u>2,239,762</u>

INFORMATION SYSTEMS AND SERVICES FUND

Departmental Operating	
Central Services	531,143
Total Departmental Operating	<u>531,143</u>
Non-Departmental	
* Reserves	109,856
* Balance Available	367,161
Total Non-Departmental	<u>477,017</u>
TOTAL INFORMATION SYSTEMS AND SERVICES FUND	<u>1,008,160</u>

FACILITIES SERVICES FUND

Capital Projects	
Capital Projects	(112,242)
Total Capital Projects	<u>(112,242)</u>
Non-Departmental	
* Reserves	1,810,684
* Balance Available	(31,538)
Total Non-Departmental	<u>1,779,146</u>
TOTAL FACILITIES SERVICES FUND	<u>1,666,904</u>

RISK AND BENEFITS FUND

Departmental Operating	
Central Services	(49,782)
Total Departmental Operating	<u>(49,782)</u>
Non-Departmental	
* Reserves	34,579
* Balance Available	948,329
Total Non-Departmental	<u>982,908</u>
TOTAL RISK AND BENEFITS FUND	<u>933,126</u>

PROFESSIONAL SERVICES FUND

Departmental Operating	
Public Works	(5)
Total Departmental Operating	<u>(5)</u>
Non-Departmental	
* Balance Available	110,558
Total Non-Departmental	<u>110,558</u>
TOTAL PROFESSIONAL SERVICES FUND	<u>110,553</u>
TOTAL REQUIREMENTS - ALL FUNDS	<u><u>13,536,588</u></u>

* Reserves, Balance Available, and UEFB amounts are not appropriated for spending and are shown for information purposes only.

EUGENE URBAN RENEWAL AGENCY

AGENDA ITEM SUMMARY



Public Hearing and Action: Resolution Adopting a Supplemental Budget; Making Appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year Beginning July 1, 2013, and Ending June 30, 2014

Meeting Date: December 9, 2013
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
 Staff Contact: Vicki Silvers
 Contact Telephone Number: 541-682-5082

ISSUE STATEMENT

Urban Renewal Agency Board approval of the first Supplemental Budget (SB1) for Fiscal Year 2014 (FY14) is requested. Oregon Local Budget Law (ORS 294.471) allows for supplemental budgets in the event of “an occurrence or condition that is not ascertained when preparing the original budget or a previous supplemental budget for the current year.” ORS 294.471 also allows for a supplemental budget if there are “funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget.” This Supplemental Budget does not authorize any increase in the property tax levy and has been published in compliance with the Oregon Local Budget Law.

BACKGROUND

The Supplemental Budget that occurs in December of a fiscal year is usually the largest because of the audit adjustments to budgeted Beginning Working Capital and the reappropriation of funds from the prior fiscal year for program initiatives or projects that were started but not completed in that fiscal year. This Supplemental Budget consists of transactions to amend the Urban Renewal Agency budget to reconcile Beginning Working Capital and Capital Carryover, and to reappropriate those dollars or place them into reserve.

For this Supplemental Budget, the proposed changes fall into the following categories:

Transactions Related to Beginning Working Capital

Isler & Company, LLC, the Urban Renewal Agency's external auditor, has completed its Fiscal Year 2013 (FY13) audit, and this Supplemental Budget includes Marginal Beginning Working Capital (MBWC) adjustments for all URA funds. The MBWC is the difference between the estimated and audited actual FY13 revenues and expenditures. The total audited adjustment to the FY14 budgeted Beginning Working Capital for all URA funds is an increase of \$1,598,213.

A detailed description of these transactions is provided in Attachment A.

Timing

In some cases, expenditure authority is needed immediately to carry out URA Board direction or to meet legal or program requirements. Approval of SB1 in December allows the organization to prepare more accurate mid-year projections by having the general ledger reflect the audited balances in each fund. This, in turn, enables staff to more accurately project the Beginning Working Capital for the next fiscal year's Proposed Budget.

RELATED CITY POLICIES

These transactions conform to the City's Financial Management Goals and Policies.

BOARD OPTIONS

Particular requests requiring more information or discussion may be removed from the supplemental budget and delayed for action in a future supplemental budget. In certain cases there may be a financial or legal impact to delaying budget approval. The URA Board may also adopt amended appropriation amounts or funding sources for specific requests in the supplemental budget.

AGENCY DIRECTOR'S RECOMMENDATION

Approve the attached resolution adopting the Supplemental Budget.

SUGGESTED MOTION

Move to adopt Resolution 1069, adopting a Supplemental Budget; making appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014.

ATTACHMENTS

- A. Transaction Summary
- B. Resolution

FOR MORE INFORMATION

Staff Contact: Vicki Silvers
Telephone: 541-682-5082
Staff E-Mail: vicki.j.silvers@ci.eugene.or.us

OR

Staff Contact: Twylla Miller
Telephone: 541-682-8417
Staff E-Mail: twylla.j.miller@ci.eugene.or.us

Attachment A

Transaction Summary

817 Urban Renewal Agency Downtown General Fund

	FY14 Adopted	FY14 SB1 Action	FY14 Revised
I. RESOURCES			
BEGINNING WORKING CAPITAL	110,000	205,450 a	315,450
CHANGE TO WORKING CAPITAL			
REVENUE			
Miscellaneous	61,000	0	61,000
Interfund Transfers	205,000	0	205,000
Fiscal Transactions	230,000	0	230,000
Total Revenue	496,000	0	496,000
TOTAL RESOURCES	606,000	205,450	811,450
II. REQUIREMENTS			
Department Operating			
Planning and Development	205,000	0	205,000
Total Department Operating	205,000	0	205,000
Non-Departmental			
Misc. Fiscal Transactions	366,000	205,450 a	571,450
Intergovernmental Expend.	0	0	0
Contingency	0	0	0
Reserve	0	0	0
Reserve for Encumbrances	0	0	0
Balance Available	35,000	0	35,000
Total Non-Departmental	401,000	205,450	606,450
TOTAL REQUIREMENTS	606,000	205,450	811,450

817 Urban Renewal Agency Downtown General Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$205,450 and increase Downtown Revitalization Loan Program (DRLP) appropriations by the same amount. This adjustment brings the FY14 Budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

812 Urban Renewal Agency Downtown Debt Service Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	836,898	533,676	a	1,370,574
CHANGE TO WORKING CAPITAL				
REVENUE				
Taxes	1,760,000	0		1,760,000
Miscellaneous	5,000	0		5,000
Total Revenue	<u>1,765,000</u>	<u>0</u>		<u>1,765,000</u>
TOTAL RESOURCES	<u>2,601,898</u>	<u>533,676</u>		<u>3,135,574</u>
II. REQUIREMENTS				
Non-Departmental				
Debt Service	1,648,400	0		1,648,400
Interfund Transfers	205,000	0		205,000
Balance Available	748,498	533,676	a	1,282,174
Total Non-Departmental	<u>2,601,898</u>	<u>533,676</u>		<u>3,135,574</u>
TOTAL REQUIREMENTS	<u>2,601,898</u>	<u>533,676</u>		<u>3,135,574</u>

812 Urban Renewal Agency Downtown Debt Service

a) ***Beginning Working Capital Reconciliation:*** Increase the budgeted Beginning Working Capital by \$533,676, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

813 Urban Renewal Agency Downtown Capital Projects Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	558,730	131,594	a	690,324
CHANGE TO WORKING CAPITAL				
REVENUE				
Miscellaneous	2,000	0		2,000
Total Revenue	2,000	0		2,000
TOTAL RESOURCES	560,730	131,594		692,324
II. REQUIREMENTS				
Capital Projects				
Capital Carryover	543,672	(2,700)	a,b	540,972
Total Capital Projects	543,672	(2,700)		540,972
Non-Departmental				
Balance Available	17,058	134,294	a,b	151,352
Total Non-Departmental	17,058	134,294		151,352
TOTAL REQUIREMENTS	560,730	131,594		692,324

813 Urban Renewal Agency Downtown Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$131,594, decrease Capital Carryover appropriations by \$2,700, and increase Balance Available by \$134,294. These adjustments bring the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease the capital carryover by \$2,700, and decrease Balance Available by the same amount. This action reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

821 Urban Renewal Agency Riverfront General Fund

	FY14 Adopted	FY14 SB1 Action		FY14 Revised
I. RESOURCES				
BEGINNING WORKING CAPITAL	5,892,245	29,921	a	5,922,166
CHANGE TO WORKING CAPITAL				
REVENUE				
Taxes	990,000	0		990,000
Rental	63,000	0		63,000
Miscellaneous	35,000	0		35,000
Total Revenue	1,088,000	0		1,088,000
TOTAL RESOURCES	6,980,245	29,921		7,010,166
II. REQUIREMENTS				
Department Operating				
Planning and Development	229,738	0		229,738
Total Department Operating	229,738	0		229,738
Non-Departmental				
Balance Available	6,750,507	29,921	a	6,780,428
Total Non-Departmental	6,750,507	29,921		6,780,428
TOTAL REQUIREMENTS	6,980,245	29,921		7,010,166

821 Urban Renewal Agency Riverfront General Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$29,921, and increase Balance Available by the same amount. This adjustment brings the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

823 Urban Renewal Agency Riverfront Capital Projects Fund

	<u>FY14 Adopted</u>	<u>FY14 SB1 Action</u>	<u>FY14 Revised</u>
I. RESOURCES			
BEGINNING WORKING CAPITAL	453,813	697,572 a	1,151,385
CHANGE TO WORKING CAPITAL			
REVENUE			
Total Revenue	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL RESOURCES	<u>453,813</u>	<u>697,572</u>	<u>1,151,385</u>
II. REQUIREMENTS			
Capital Projects			
Capital Carryover	<u>430,000</u>	<u>(5,589) a,b</u>	<u>424,411</u>
Total Capital Projects	430,000	(5,589)	424,411
Non-Departmental			
Balance Available	<u>23,813</u>	<u>703,161 a,b</u>	<u>726,974</u>
Total Non-Departmental	23,813	703,161	726,974
TOTAL REQUIREMENTS	<u>453,813</u>	<u>697,572</u>	<u>1,151,385</u>

823 Urban Renewal Agency Riverfront Capital Projects Fund

a) **Beginning Working Capital Reconciliation:** Increase the budgeted Beginning Working Capital by \$697,572, decrease Capital Carryover appropriations by \$5,589, and increase Balance Available by \$703,161. These adjustments bring the FY14 budgeted Beginning Working Capital in compliance with the audited FY13 actual revenues and expenditures as determined by Isler & Company, LLC, the City's external auditor.

b) **Capital Carryover Reconciliation:** Decrease the capital carryover by \$5,589, and decrease Balance Available by the same amount. This action reconciles the FY14 Capital Carryover Estimate to the actual ending FY13 capital projects balance.

Resolution Number _____

Attachment B

**A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET;
MAKING APPROPRIATIONS FOR THE URBAN RENEWAL AGENCY
OF THE CITY OF EUGENE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2013,
AND ENDING JUNE 30, 2014.**

The Urban Renewal Agency of the City of Eugene finds that adopting the Supplemental Budget and making appropriations is necessary under ORS 294.471.

NOW THEREFORE,

BE IT RESOLVED BY THE URBAN RENEWAL AGENCY OF THE CITY OF EUGENE as follows:

Section 1.

That the Supplemental Budget for the Urban Renewal Agency of the City of Eugene, Oregon, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, as set forth in attached Exhibit "A" is hereby adopted.

Section 2.

The supplemental amounts for the fiscal year beginning July 1, 2013, and ending June 30, 2014, and for the purposes shown in attached Exhibit "A" are hereby appropriated.

Section 3.

That this Supplemental Budget is prepared in accordance with ORS 294.471(1), which authorizes the formulation of a supplemental budget resulting from "an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning." This Supplemental Budget was published in accordance with ORS 294.471(3).

Section 4.

This resolution complies with ORS 294.471(4), and does not authorize an increase in the levy of property taxes above the amount published in the Annual Budget publication.

The foregoing resolution adopted this 9th day of December, 2013.

Director

Item 4.

EXHIBIT "A"

In dollars

URBAN RENEWAL AGENCY DOWNTOWN GENERAL FUND

Non-Departmental	
Miscellaneous Fiscal Transactions	205,450
Total Non-Departmental	<u>205,450</u>
TOTAL URA DOWNTOWN GENERAL FUND	<u>205,450</u>

URBAN RENEWAL AGENCY DOWNTOWN DEBT SERVICE FUND

Non-Departmental	
* Balance Available	533,676
Total Non-Departmental	<u>533,676</u>
TOTAL URA DOWNTOWN DEBT SERVICE FUND	<u>533,676</u>

URBAN RENEWAL AGENCY DOWNTOWN CAPITAL PROJECTS FUND

Capital Projects	
Capital Projects	(2,700)
Total Capital Projects	<u>(2,700)</u>
Non-Departmental	
* Balance Available	134,294
Total Non-Departmental	<u>134,294</u>
TOTAL URA DOWNTOWN CAPITAL PROJECTS FUND	<u>131,594</u>

URBAN RENEWAL AGENCY RIVERFRONT GENERAL FUND

Non-Departmental	
* Balance Available	29,921
Total Non-Departmental	<u>29,921</u>
TOTAL URA RIVERFRONT GENERAL FUND	<u>29,921</u>

URBAN RENEWAL AGENCY RIVERFRONT CAPITAL PROJECTS FUND**Capital Projects**

Capital Projects	(5,589)
Total Capital Projects	<u>(5,589)</u>

Non-Departmental

* Balance Available	703,161
Total Non-Departmental	<u>703,161</u>

TOTAL URA RIVERFRONT CAPITAL PROJECTS FUND	<u>697,572</u>
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TOTAL REQUIREMENTS - ALL FUNDS	<u>1,598,213</u>
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* Reserves and Balance Available amounts are not appropriated for spending and are shown for information purposes only.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing: Ordinance Vacating the Portion of West 4th Alley Located between 4th and 5th Avenues and Lincoln and Charnelton Streets (VRI 13-1)

Meeting Date: December 9, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5
 Staff Contact: Steve Ochs
 Contact Telephone Number: (541) 682-5453

ISSUE STATEMENT

The City Council will hold a public hearing on an alley vacation request submitted by CB Simons on behalf of Simons Properties and CSA Oregon LLC. The property affected by this proposed action is the east/west right-of-way of West 4th Alley, between Lincoln Street and Charnelton Street. A map is included as Attachment A which shows the proposed street right-of-way to be vacated. This item is scheduled for public hearing only; action is currently scheduled for January 13, 2013.

BACKGROUND

The applicant is requesting the City of Eugene to vacate the West 4th Alley right-of-way from Charnelton Street to Lincoln Street while retaining a Public Utility Easement over the alley. The area of the request is 4,669 square feet. The applicant is requesting the vacation to allow for new commercial development on the property and to create a better business environment on the property.

The applicant previously requested the vacation of this same alley in 2012 (VRI 12-3). That request was denied by the City Council. The applicant has re-applied to vacate the same area and has included additional information regarding the owners' future plan for the site. The applicant is asking the City Council to reconsider its prior decision by providing a more complete explanation of how the alley would be used and how this vacation will be in the public's interest.

The owners' future plans include converting indoor parking areas to small commercial space and facade improvements along the alley, in the event that the request for right-of-way vacation is approved. A conceptual future development plan for the property, including elevations and a site plan are included in the application materials (see Attachment B.) The applicant believes this vacation will create a more pedestrian-friendly feel and vibrant use of the alley and surrounding area by allowing the establishment of new storefronts to accommodate new tenants and businesses on the site.

Public Works and other affected City departments and utility providers confirm that if the alley is vacated, adequate public rights-of-way exist to satisfy access and traffic circulation needs in the vicinity. As the alley dead-ends at Charnelton Street, it provides minimal benefit for east-west bike and pedestrian travel, as well as access for nearby properties. The provision of necessary public services can be maintained with the retention of a public utility easement over the alley, as proposed by the

applicant.

Public Hearing Notice

In accordance with Eugene Code (EC) 9.7440 and Oregon Revised Statutes (ORS) 271.110, notice of public hearing for the requested alley vacation has been provided in the following manner:

- On November 22, 2013, notice was mailed to property owners within a 300-foot radius of the alley, interested parties and the Downtown Neighbors, the officially recognized neighborhood group;
- On November 19, 2013, the property was posted in the immediate vicinity of the requested alley vacation; and,
- On November 25, 2013, and December 2, 2013, legal notice was published in The Register-Guard newspaper.

Any written testimony received in response to public notice will be forwarded to the City Council for consideration.

Consent of Abutting and Affected Property Owners

In accordance with ORS 271.080, the applicant has provided evidence of consent to the right-of-way vacation from all abutting property owners and from property owners of at least two-thirds of the property within the affected area. The applicant owns all of the properties abutting the alley right-of-way. Application materials submitted with the alley vacation include consent forms signed by Carlton B. Simons for all abutting properties. The application materials also include consent forms signed by Sid Leiken on behalf of Lane County Board of Commissioners (for the Lane County Jail property) and additional surrounding property owners for more than two-thirds of the affected (required consent) area. (The affected area is 200 feet on either side of the street and 400 feet beyond each end of the right-of-way to be vacated.)

Applicable Criteria

The vacation request process serves as a means to evaluate the need for public ways as land develops and uses change over time. Requests for vacation of public streets are considered in accordance with EC 9.8700-9.8725 and ORS 271.080-271.230, and processed pursuant to EC 9.7445-9.7455. The public hearing is subject to quasi-judicial procedures in State law and as set forth in EC 9.7065 through EC 9.7095.

The City Council will address the relevant approval criteria from EC 9.8725 in making a decision on the proposed street vacation, as listed below:

The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

Additionally, ORS 271.120 is relevant as listed below:

At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and

objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

As noted above, consent of the required area has been obtained and public notice has been given in accordance with statutory and local code requirements. It is the council's purview to decide if the request is in the public interest and what additional requirements, if any, must be made to find that the proposal supports the public interest in order for the City to release ownership of the right-of-way.

If the council approves the request, findings in regards to the approval criteria are included in Exhibit C to the Ordinance (see Attachment C). A complete copy of the application along with other documents and information related to the vacation request including a written statement, site plans and consent forms, are also contained in a binder that has been placed in the Council Office for reference.

Determination of Assessment

Pursuant to EC 9.8710(4), the applicant is required to pay a deposit equal to the assessment of special benefit resulting from the vacation and the disposition of the property to the benefited property owners. The assessed value of special benefit is to be determined by the City Manager. In this instance, the value of the real property for the alley right-of-way was determined to be \$36,450 as detailed in the attached Notice of Assessment of Benefits Memorandum (see Attachment D). The applicant has deposited that sum with the City in advance of the public hearing, as required. If the application is approved, the deposit shall be retained by the City, or if the application is denied the money shall be returned.

RELATED CITY POLICIES

Approval criteria for vacation requests (the full text is included above) are located at EC 9.8725, and corresponding statutory provisions at ORS 271.120, which require the council to find that approval of the vacation request is in the public interest.

Findings supporting this request are included in Exhibit C to the Ordinance (see Attachment B).

COUNCIL OPTIONS

These items are scheduled for public hearing only, however, council action is required within 30 days of the close of the record following the public hearing to:

1. Approve the vacation request by ordinance;
2. Modify and approve the vacation request by ordinance; or,
3. Deny the vacation request.

This action is currently scheduled for January 13, 2014.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council hold and close the public hearing on the vacation request, and take action within 30 days of close of record in order to comply with statutory and local code requirements.

SUGGESTED MOTION

This item is set for deliberations and action on January 13, 2014.

ATTACHMENTS

- A. Map of Alley Vacation Request
- B. Applicant's Site Plan and Proposed Elevations
- C. Draft Ordinance (with Exhibits A – C) for Alley Vacation
- D. Notice of Assessment of Benefits
- E. Public Testimony

FOR MORE INFORMATION

Staff Contact: Steve Ochs, Associate Planner
Telephone: 541/682-5453
Staff E-Mail: steve.p.ochs@ci.eugene.or.us

ATTACHMENT A: MAP OF ALLEY VACATION REQUEST FOR CB SIMONS (VRI 13-1)



ALLEY TO BE VACATED
14' X 333.5' = 4669 SQUARE FEET



Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.



Exhibit A

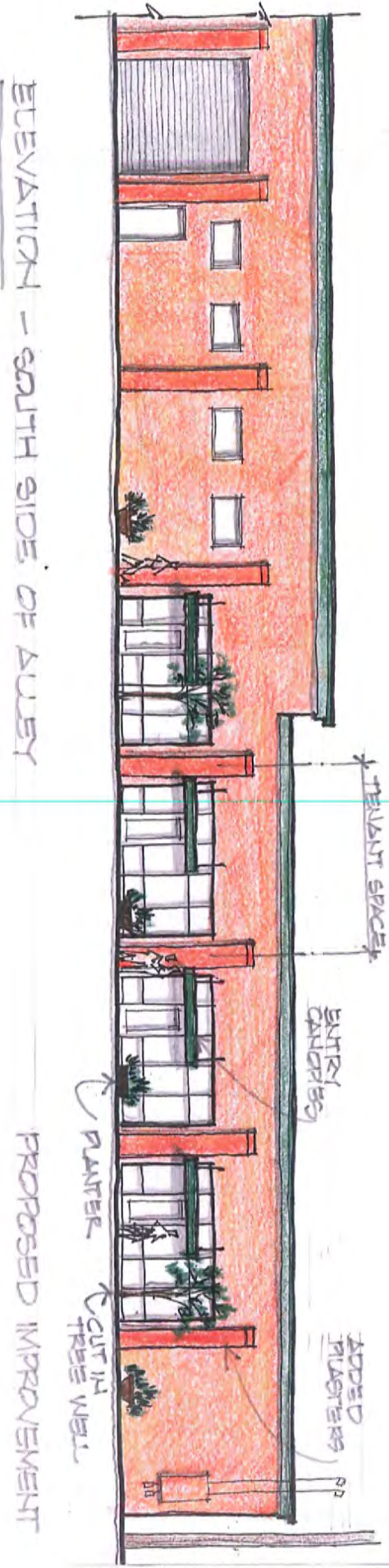
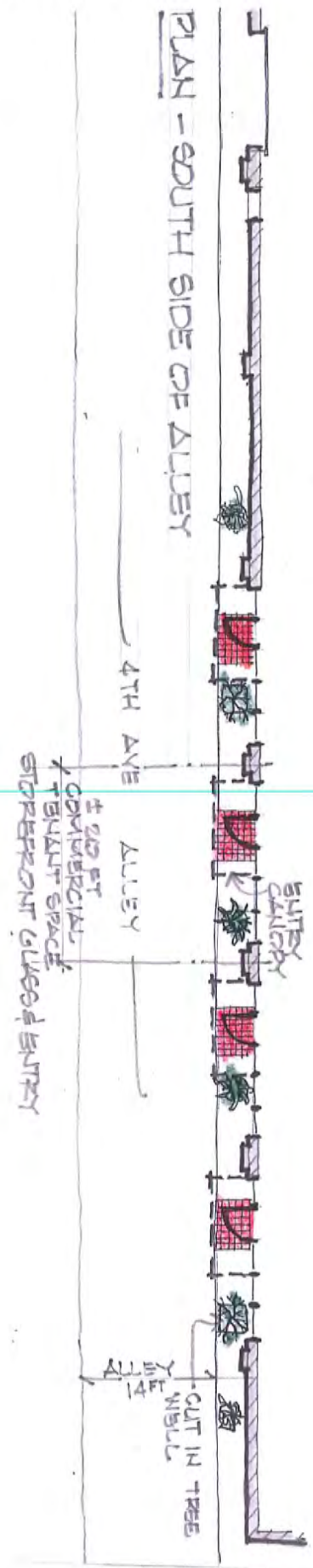


Exhibit A

13 2:24:37 PM



AWJ
ARCHITECTURE PC

1500 VALLEY RIVER DR.
SUITE 220
EUGENE, OR 97401
541.342.6511

office@awjarchitects.com



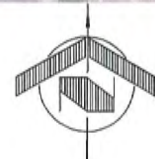
ALLEY IMPROVEMENTS FOR:
C.B. SIMONS
215 W. 5th AVE.
EUGENE, OREGON

Date:	2/13/2018
File:	etteplandx
Drawn:	D.
Job:	1218

ALLEY FACADE IMPROVEMENTS

ALL LOTS SHOWN - EXCEPT ALLEY
OWNED BY C.B. SIMONS

SCALE: 1" = 60'-0"



WRITTEN STATEMENT
APPLICATION TO VACATE ALLEY
CSA OREGON, LLC

This is a proposal to vacate the east/west alleyway from Charnelton Street to Lincoln Street between 4th and 5th Avenues. The application seeks the vacation of the same improved public right-of-way as did (VRI 12-3), which came before the Council earlier this year.

The previous application was before the Council at a time of heavy media coverage of mass inmate releases by the Lane County Adult Corrections Main Jail facility. In the materials before the Council, there was mention of illegal activity in the subject alley located immediately west of the jail and a perception arose that the vacation was being proposed to address a social problem. In fact, there are many reasons the vacation is in the public interest, as set forth below.

A. Purpose of Vacations

EC 9.8700 states as the purpose of vacations:

“In order to ensure the orderly development of land, public ways in the form of streets, roads, alleys, rights-of-way, pedestrian and/or bicycle easements and accessways, or utility easements are established, obtained, or reserved by the city. As land develops, and as land uses change over time, public ways may no longer be necessary for ensuring the orderly development of land....”
(Emphasis added.)

The alley is uniquely suited for vacation for a number of reasons, including:

- * The alley is rarely used for vehicular traffic.
- * The alley’s vehicular users are almost exclusively the applicant and its tenants.
- * The alley essentially dead-ends at the jail property.
- * The applicant owns the entire block bisected by the alley.

B. Approval criteria for Improved Public Right-of-Way

EC 9.8725 states:

“Approval Criteria for the Vacation of Improved Public Right-of-Way, Public Ways Acquired with Public Funds, and Undeveloped Subdivision and Partition Plats. The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, *only if the council finds that approval of the vacation is in the public interest.*” (Emphasis added.)

ORS 271.120, the state statute applicable to this application states the criterion for approval of this vacation to be “whether the public interest will be prejudiced by the vacation of such ... street.”

Vacation is in the public interest because:

- Elimination of the public ownership of the alley will allow the applicant to make facade and access improvements to the buildings on the south side of the alley that cannot presently occur due to setback and clearance requirements of Eugene Code.*
- Vacation will allow the applicant to revitalize and more fully use the alley to accommodate new businesses.
- The applicant will pay the City fair market value (\$36,450) for the property and the City will be relieved of the responsibility of maintaining and policing the alley.
- Public utilities will be unaffected by the vacation and the City has determined that adequate public right of way remain to satisfy all access and traffic circulation needs in the area.
- This area is gradually being occupied and rejuvenated by small, startup businesses and the vacation will facilitate this transition.
- The vacation will be consistent with the City’s goals of supporting local businesses and overall vitality of downtown.
- It is in the public interest of the City of Eugene to attract new employers to and retain existing employers in the Whiteaker Neighborhood. The proposed alleyway vacation will contribute to those goals.

* Attached as Exhibit A are an elevation drawing of the south side of the alley and an overly of the façade improvements on an aerial photograph of the block.

- The proposed alleyway vacation will allow the applicant to create a more viable business environment with an improved visual presentation, better access, and better security for tenants and their employees.

C. Consents and Concurrences

Lane County, LTD and EWEB all concur with the proposal. Of the property owners in the "affected areas" (ORS 271.080(2)), 88.63% have provided consents to the vacation. The original executed consents and concurrences are in the (VRI 12-3) file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James W. Spickerman', is written over a horizontal line. The signature is stylized and somewhat cursive.

James W. Spickerman
Attorney for CSA Oregon, LLC

Attachments:

- A. Elevation drawing and Alley Façade Improvements
- B. Vacation Application Checklist
- C. Legal description
- D. Property Owner Consent Tabulation,
Copies of consents of property owners in the statutory "Protected Area," and
Map identifying consenting property owners
- E. Utility Concurrence letters, LTD and EWEB

ATTACHMENT C

ORDINANCE NO. _____

AN ORDINANCE VACATING THE PORTION OF WEST 4TH ALLEY LOCATED BETWEEN 4TH AND 5TH AVENUES AND LINCOLN AND CHARNELTON STREETS.

The City Council of the City of Eugene finds that:

A. The City Council of the City of Eugene has approved an agenda setting a public hearing to be held at 7:30 p.m. on December 9, 2013, in Harris Hall, for the purpose of hearing protests and remonstrances to the proposed vacation of the following described right-of-way:

The portion of West 4th Alley located between 4th and 5th Avenues and Lincoln and Charnelton Streets, as more particularly described in Exhibit A and depicted on the map attached as Exhibit B to this Ordinance, reserving a public utility easement over the entire right-of-way otherwise vacated, including a reservation of the right to enter thereon for purposes of construction, reconstruction, maintenance and repair.

B. Notice was duly and regularly given of the public hearing, and on December 9, 2013, the City Council held a public hearing and heard all objections to the proposed vacation.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Eugene finds that notice of the hearing was published and posted as required by law, that the consent of the owner(s) of the abutting property has been filed in the proceedings, and that the vacation of the right-of-way is in the public interest, as described in the Findings attached as Exhibit C to this Ordinance.

Section 2. The right-of-way described and depicted on Exhibits A and B attached to this Ordinance is vacated subject to the easement described in Finding A, above, and shall revert pursuant to the statutes of the State of Oregon.

Section 3. The City Recorder is directed to file a certified copy of this Ordinance with the Recorder of Lane County, Oregon, together with a map or plat of said property, and a certified copy of this Ordinance shall be filed with the Lane County Assessor and another certified copy shall be filed with the Lane County Surveyor.

Passed by the City Council this

Approved by the Mayor this

_____ day of January, 2014.

_____ day of January, 2014.

City Recorder

Mayor

EXHIBIT A

ALLEYWAY VACATION DESCRIPTION

BEING ALL THAT PORTION OF THE FOURTEEN FOOT (14') WIDE EAST / WEST ALLEY FOUND WITHIN BLOCK 1 OF PACKARD'S ADDITION TO EUGENE RECORDED IN LANE COUNTY OREGON PLAT RECORDS VOLUME H, PAGE 282 RECORDED IN 1871, ALL BEING WITHIN TOWNSHIP 17 SOUTH, RANGE 3 WEST, SECTION 31, WILLAMETTE MERIDIAN, AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF PACKARD'S ADDITION TO EUGENE AS RECORDED IN LANE COUNTY OREGON PLAT RECORDS VOLUME H, PAGE 282, THENCE SOUTHERLY ALONG THE EASTERLY LINE OF LOT 1, BLOCK 1, ALSO BEING THE WESTERLY MARGIN OF CHARNELTON STREET (SO CALLED), TO THE SOUTHEAST CORNER OF LOT 1 AND ALSO BEING THE NORTHEAST CORNER OF SAID ALLEY AND FURTHER BEING THE POINT OF BEGINNING;
THENCE WESTERLY 334 FEET (MORE OR LESS) ALONG THE SOUTHERLY LINES OF LOTS 1, 2, 3, 4 AND 5 TO THE SOUTHWEST CORNER OF LOT 5 AND BEING THE POINT OF INTERSECTION WITH THE EASTERLY MARGIN OF LINCOLN STREET (SO CALLED);
THENCE SOUTHERLY 14 FEET (MORE OR LESS) ALONG THE WESTERLY MARGIN OF SAID ALLEY, ALSO BEING THE EASTERLY MARGIN OF SAID LINCOLN STREET, TO THE NORTHWEST CORNER OF LOT 6 OF SAID BLOCK 1;
THENCE EASTERLY ALONG THE NORTHERLY LINES OF LOTS 6, 7, 8, 9 AND 10 TO THE NORTHEAST CORNER OF LOT 10 AND BEING THE POINT OF INTERSECTION WITH THE WESTERLY MARGIN OF CHARNELTON STREET;
THENCE NORTHERLY 14 FEET (MORE OR LESS) ALONG THE EASTERLY MARGIN OF SAID ALLEY, ALSO BEING THE WESTERLY MARGIN OF SAID CHARNELTON STREET, TO THE POINT OF BEGINNING;
ALL BEING IN LANE COUNTY, OREGON.

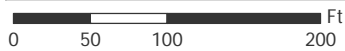
CONTAINING 4676 SQUARE FEET (MORE OR LESS).



C.B. Simons Alley Vacation (VRI 13-1)



Lane Count



Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.



Exhibit C

Findings:

Vacation of West 4th Alley between Lincoln Street and Charnelton Street for Simons Properties and CSA Oregon, LLC (VRI 13-1)

Background

The Simons Properties and CSA Oregon, LLC requests a right-of-way vacation that includes the entire West 4th Alley between Lincoln Street and Charnelton Street. The area subject to the request is 4,669 square feet. The applicant owns all properties that abut the right of way and on the entire block. The vacation will allow the applicant/property owner to create a more viable business environment and will not negatively impact the transportation system, surrounding properties or emergency access. Retention of a Public Utility Easement across the entire alley area is proposed and will be required prior to vacating the right of way.

The vacation request process provides a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. Requests for the vacation of public streets and alleys are considered in accordance with EC 9.8700-9.8725 and Oregon Revised Statutes 271.080-271.230. These requests are also subject to procedural requirements at EC 9.7445–9.7455.

Compliance with Approval Criteria

The sole approval criterion at EC 9.8725 requires the City Council to find that approval of the requested right-of-way vacations is in the public interest. The full text of the approval criterion is provided below, with findings demonstrating compliance:

The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

Public notice of the hearing for the vacation request has been provided in accordance with applicable statutory and local code requirements. Consent for the vacation requests from abutting and affected owners, and payment of a special assessment for the area of vacated right-of-way, have also been provided as required.

Vacation Findings

The following findings demonstrate that vacation of West 4th Alley between Lincoln Street and Charnelton Street is in the public interest. This determination is based on the conclusion that the vacation of West 4th Alley between Lincoln Street and Charnelton Street is consistent with the City's vision for the area, will provide efficient use of land and will not negatively impact the transportation system, the ability to provide utilities, surrounding properties, or emergency access. Control of the site by the applicant will allow re-development and new development on the site and

enhance the attractiveness of the site. As a result, vacation of the requested alley segment will be in the public interest. Detailed findings to support these conclusions are provided below.

The property is located within the boundaries of the Whiteaker Plan and the Skinner Butte mixed use subarea and is zoned S-W Whiteaker special area zone. The Whiteaker Plan's overall vision and intent is to encourage economic vitality in the area by allowing a mix of uses and encourage actions that enhance the attractiveness of the area. Several businesses including a Cafe Yumm, Corporate Office, Playdom, a division of Disney Corp, Honn Design, Carpe Diem Core Align and Pilates Studio, Lindholm Company and Verb Marketing and PR are tenants on this block that is bisected by the alley. The Lane County Jail is located directly across Charnelton Street to the east.

The vacation of the alley, will allow the applicant to make façade and access improvements along both sides of the alley and convert existing indoor parking to office and retail areas. These improvements cannot currently occur due to setback and clearance requirements. Control of the entire development site (the entire block between Lincoln St. and Charnelton St. and West 4th Ave and West 5th Ave), will allow the applicant to provide a safer and overall more attractive and vibrant business environment on the site consistent with the vision for the area.

Public Works and Fire staff confirms that adequate public rights-of-way exist to satisfy all access and traffic circulation needs in the vicinity. While this alley will not be required to remain open as a public alley, adjacent uses are all owned by the applicant and will continue to use the alley for deliveries and emergency access.

The vacation of West 4th Alley will not cause additional out of direction travel as it is not a through alley and ends in a "T" intersection at Charnelton Street. Vehicles, pedestrians and bicyclists currently use West 5th Ave to the south as a through connection to the east or west. Therefore, vacation of this alley will have no impact on the primary travel route (West 5th Ave.) for vehicles, pedestrians and bicycles.

Referral comments from Public Works staff, other affected City Departments and utility providers confirm the presence of utilities in the alley and note that the provision of necessary public services and facilities such as transportation and utilities in the area can be maintained upon approval of the vacation request with the retention of a public utility easement over the alley as proposed by the applicant. The PUE could later be vacated when the utilities are properly abandoned or relocated. The City's Public Works Transportation and Engineering staff and the Fire Marshal's office have confirmed that the vacations would not compromise transportation or emergency access. Referral comments from Public Works and letters of concurrence from EWEB confirm that utility, water and natural gas lines located in the street can be maintained by retaining a public utility easement. No other utility providers objected to the proposal of vacating the alley with retention of a PUE.

Conclusion

Based on the available information, evidence and testimony received, the City finds that the right-of-way vacation for the entire West 4th Alley between Lincoln Street and Charnelton Street as proposed by Simons Properties and CSA Oregon, LLC, will be in the public interest.



November 18, 2013

Carlton B. Simons
Simons Properties/CSA Oregon LLC
215 West 5th Avenue
Eugene, OR 97401

RE: Notice of Assessment of Benefits for Alley Right-of-Way Vacation Requests.

Dear Mr. Simons,

Attached is the Notice of Assessment of Benefits for the vacation request of West 4th Alley (VRI 13-1) as well as an email confirming that the monetary value for the assessment has not changed since last year. Eugene City Code requires that the owner of the property be assessed the value of the property that is requested to be vacated no less than 20 days prior to the public hearing of the vacation application before the City Council. The public hearing date is set for December 9, 2013 at 7:30 p.m. The public hearing will be held in Harris Hall located at 125 East 8th Street. The amount of the assessed value is shown on the attached assessment form and email was determined to be \$36,450.

Eugene City Code further requires the land owner to deposit with the City the sum of money assessed at least 5 working days prior to the public hearing which would be December 2, 2013 at the latest. If the vacation is approved, this deposit shall be retained by the City. If the vacation application is denied, the deposit shall be returned.

The deposit shall be made at the Permit Information Center located in the Atrium building at 99 West 10th Avenue. I will be available to help ensure this process goes smoothly. So please give me a call at (541) 682-5453 or email steve.p.ochs@ci.eugene.or.us and I can help answer questions and coordinate the deposit.

Sincerely,

A handwritten signature in black ink, appearing to read "S.P.O.", with a stylized flourish at the end.

Steve Ochs
Associate Planner

Enclosures: Basis of Value Report
Email and attachments

BASIS OF VALUE REPORT

Proposed ROW Vacation of 4th Avenue Alley between Charnelton and Lincoln November 30, 2012

Adjoining property owner, Carlton Simons, requests the vacation of a certain City right-of-way captioned above for assemblage with adjoining property owned by Simon Investment Prop LLC. Mr. Simon, the applicant, reportedly owns all the properties adjacent on both the north and the south sides of the subject property; a 14' alley right-of-way of 4,676 SF (per surveyor).

The zoning for the area around the proposed alley vacation is S-W/SR (Whiteaker Special Area, with a Site Review overlay). The zoning is intended primarily for a Mixed-use development which includes various uses of commercial, retail, industrial, and lower and higher density residential. The highest and best use is considered to be "Mixed Use."

The appraiser has been asked to provide an assessment estimating the value to the benefiting property for the proposed vacation by the City of its interest in the existing right-of-way area herein described.

After a search of RMLS and Lane County records, the following comparable sales are considered to be the best sales that could be located at this time to estimate the unit value of the area that is the subject of this Basis of Value Report.

<u>Property Location</u>	<u>Size</u>	<u>Zoning</u>	<u>Sale Date</u>	<u>Price</u>	<u>Unit Value (Adj.UV)</u>		<u>Comments</u>
Fourth Avenue Alley	4,676SF	S-W (MU)	n/a	n/a	n/a	n/a	Subject Property
#1. 462 E 8 th Ave.	0.59 Ac.	I-2	2/09	\$889,582	\$34.61	(\$28.95)	OK'd: commercial
#2. 15 th & Orchard	0.71 Ac.	C2	4/08	\$925,000	\$29.90	(\$23.58)	Near UO
#3 2303 W. 7 th Av.	1.32 Ac.	C2	4/08	\$1,400,000	\$24.35	(\$19.21)	Carrow's site
#4 296 Blair Blvd.	0.64 Ac.	S-W	10/12	\$335,735*	\$12.04	(\$12.04)	Ninkasi expansion.
#5-Franklin at Alder	0.18 Ac.	C2	11/10	\$125,000	\$15.94	(\$14.53)	Deficient shape
#6 135 Blair Blvd.	2.03 Ac.	S-W	10/12	\$533,000	\$6.03	(\$6.03)	Ninkasi expansion

All the sales presented in the table above were closed sales, within the subject property's immediate or competing neighborhoods, and the sales represent the best comparable and most recent sales that could be located at this time.

*Note: Sale #4 reflects extraction of an improvement.

Page 2 of 3
 Basis of Value Report
 4th Avenue Alley (portion of)
 November 30, 2012

The subject property is located along 4th Avenue Alley, between Charnelton and Lincoln streets. The sales utilized in this Basis of Value Report are considered to be as comparable to the subject's Whiteaker Special Area zoning as could be located at this time. Several of the sales are considered to be superior to the subject property mainly due to superior locations compared to the subject property, but as stated previously, the sales utilized in this Basis of Value Report are considered to be the best that could be located at this time. Sale #1's I-2 zone was in the process of being changed to Commercial zoning and is considered to be comparable with the Whiteaker Special Area's "Mixed Use" zoning allowances, and it is recognized to be in a superior location. Sale #1 is considered to set the upper value range. As was noted above, the subject's location is somewhat inferior compared to most of the sales presented due to a mixed use neighborhood that is served only by "local" streets with modest traffic counts, rather than superior areas with major streets and symbiotic commercial demand within a comparable neighborhood. Sale #3's location is inferior to Sales #1 and 2's locations, but Sale #3 is still considered to be located in a superior location compared to the subject. Sale # 5 was located near Alder Street on the curve where Franklin Boulevard becomes Broadway. This property has an inferior shape and has some traffic restrictions and limitations, but is considered to be a good comparable property, with its superior location noted. Sale #6 was also a very irregularly shaped parcel, which limits its development potential, and its location is considered to be inferior compared to the subject. Sales #4 and 6 are the same zoning and deserve high credence in estimating an appropriate unit value. Sale #5 is also considered to be a highly relevant comparable sale for estimating an appropriate unit value for the subject property. Sales #1 and 2 were given the least weight in estimating the overall unit value for the subject property due to their much superior locations, etc. The overall reasonable value range is, therefore, \$6.03/SF to \$28.95/SF. Taking into consideration the described comparable sales and corresponding adjustments, an unencumbered unit value is estimated to be \$14/SF.

The Lane County Assessor estimates the real market value (as of January 1, 2012) of the current adjoining properties to be approximately \$21/SF.

City staff reports that the subject alley is 14' X 334'+/- (4,676 SF). As part of the proposed alley vacation, the City will reserve a public utility easement over the entire alley right-of-way for all existing utilities. The reservation of the public utility easement is estimated to reduce the value of the subject area by approximately 35%.

The value of the proposed vacation of 4th Avenue Alley is, therefore, calculated to be:

$$\$14.00/\text{SF} \times .65 = \$9.10/\text{SF} \times 4,676/\text{SF} = \$42,552, \text{ or } \$42,500, \text{ rounded.}$$

Assessment of value estimated to the benefitting (adjoining) property owner: \$42,500.

This Basis of Value Report is not an appraisal and is intended for City of Eugene internal use only.

Prepared by:



Lloyd Williams, Real Property Officer

OCHS Steve P

From: ROYER Russ C
Sent: Thursday, December 13, 2012 2:51 PM
To: OCHS Steve P
Cc: WILLIAMS Lloyd L; KEPPLER Peggy A
Subject: FW: Alley Vacation - Basis of Value Report
Attachments: RR Lot Buyers Stmt386.pdf; RR Prelim pkg. .pdf

Hi Steve, sorry I have not had a chance to respond to you sooner. Lloyd and I further reviewed the comparable sales data and related information submitted by the owner's rep. We recognize the one sale submitted was a parcel the subject owner purchased and is across the street from the subject area. This other sale was fairly dated being over 3 years old but we concur the values typically have not increased over that time period. Perhaps the main adjustments to that sale were the location in that the comparable property backs up directly to the railroad tracks which would result in needing to increase the value of the comparable sale property. A second significant adjustment factor of that sale compared to the benefitting properties of the vacation is the shape – it is fairly irregular which results in portions of the property not being developable or at least limited to a certain extent. This shape adjustment would also result in increasing the unit value of the comparable to make it more similar to the subject areas. And a third adjustment, which we did not put as much weight on was for the comparable being zoned industrial as compared to the subject property which allows for commercial uses as well. The market demonstrates commercially zoned properties typically sell for more than industrially zoned properties. Because of the shape deficiency and location next to the railroad tracks the highest and best use of the comparable sale may be as parking, in which case the zoning difference would not be as significant.

City staff's initial concluded value of the vacation assessment was based on a fee value of \$14 per square foot with comparable sales ranging from \$6 to \$20 per square foot. The county assessor's real market value of the subject properties are on average approximately \$20 per sq ft. The assessed value of special benefit was further reduced by 35% for the public utility easement that will be reserved over the entire vacation area resulting in the estimated unit value for the rights being vacated of \$9.10 per square foot. In further consideration of the additional sales data submitted city staff would agree to reducing the fee value of the area proposed for vacation to \$12 per square foot and further reducing that value by the 35% for the public utility easement that will be reserved at the time of vacation resulting in a net value of \$7.80 ($\$12 \times .65$) per square foot for the property rights being vacated. Thus yielding an **adjusted vacation assessment of \$36,450 ($\$7.80 \times 4,676$ sq ft)** – reduced from the previous estimated assessment of \$42,500.

One other point I did want to respond to was the suggestion the alley configuration could be a negative. I thought it might be beneficial to explain the basis of assessment for right of way vacation is based upon the special benefit to the benefitting (adjacent property) and thus the shape or configuration of the vacation area it not as significant as the adjacent property it is being assembled with. Eugene code 9.8710 (5) further defines how it is to be measured. I hope this helps address the questions or concerns. Please let me know if there are further questions. At this time Public Works is agreeable to reducing the **proposed assessment from \$42,500 to \$36,450.**

From: OCHS Steve P
Sent: Friday, December 07, 2012 4:18 PM
To: ROYER Russ C
Cc: WILLIAMS Lloyd L
Subject: FW: Alley Vacation - Basis of Value Report

Hi Russ,

This is an email I got from the applicant in for the CB Simons alley vacation. The rep asked me if they could submit these examples, I told her they could and that I would forward them on but had no idea if they were relevant or helpful or change anything. Anyway, let me know your thoughts and have a great weekend!
Steve O.

From: Cheryl Monson [mailto:cheryl@cbsimons.com]

Sent: Friday, December 07, 2012 10:57 AM

To: OCHS Steve P

Subject: Re: Alley Vacation - Basis of Value Report

Hey Steve,

I spoke to CB yesterday, his email to me below is as follows:

You can provide this to the City. It is what was sold in great detail. I refer to it as the RR lot. It was a cash deal. It was similarly zoned land. The only difference in the RR lot and the alleyway is that the RR lot is not encumbered by so many easements and is not paved. It provides access from the Charnelton end of 4th Ave. to the Lincoln access, and therefore has the same functionality. The alleyway is a smaller parcel, but the economies of scale are negligible between 4,676 s.f., and 41,800, and the small size and configuration of the alleyway does not lend itself to development to its highest and best use, so there seems to be no extra value per sq. ft. to the alleyway due to the smaller parcel size, and one could reasonably make a case that the alley configuration is a negative. The hard surface of the alleyway is a shambles and needs to be replaced. The sub-grade on the RR lot is equivalent to that of the alleyway, and the the cost of removing the sub-standard paving sections in order to go forward from the sub-grade fill is a further negative to the alleyway.

Making no other comparison, the only two comparable property purchases from the list are the ones with the same zoning. They are #2 and #4. \$12.04 & \$6.03/ s.f., respectively. Presuming all else to be equal between those two lots, the average value/sf of these two is \$9.03. The RR lot sold for \$335,000 ±, or \$8.01. The date of sale is not specified for the listed comps., but the RR lot sale was 37 months ago, and real estate prices have not been on a dramatically upward trend since then. If the RR lot is added to the data set, it appears that the value for the alleyway must go down.

Please have the appraiser make any appropriate adjustments in light of this additional data, and we will deposit the funds as instructed. Thank you for your assistance in this matter.

Also, I have attached the documentation on the Rail Road lot.

Thank you for all your help!

Cheryl Monson

On Dec 6, 2012, at 2:22 PM, OCHS Steve P wrote:

Hi Cheryl,

Attached is the report stating how much the City will be asking for the alley and the basis of that valuation. You will receive an "official" notification of the amount in a few weeks but wanted to give you a heads up. Feel free to call if you have any questions.

Thanks,
Steve O.

Item 5.

Steve Ochs | Associate Planner

City of Eugene | Planning & Development
99 West 10th Avenue | Eugene OR 97401
Phone 541.682.5453 | Fax 541.682.5572

Messages to and from this e-mail address may be available to the public under Oregon Public Records Law

<4thAvAlleyVacation.pdf>

OCHS Steve P

From: ROYER Russ C
Sent: Thursday, October 24, 2013 10:27 AM
To: OCHS Steve P
Cc: WILLIAMS Lloyd L; SMITH Deanna N
Subject: FW: Simons/Alley Vacation

Good morning, Deanna explained to Lloyd and me that the adjacent owners are reapplying for the alley vacation and you inquired as to the assessment amount. Lloyd and I discussed it and as Lloyd explained below it seems reasonable to conclude the previous assessment amount would still be appropriate for the new application. Please let us know if you need anything further for the vacation. Thank you. Russ

From: WILLIAMS Lloyd L
Sent: Tuesday, October 22, 2013 5:14 PM
To: ROYER Russ C
Subject: Simons/Alley Vacation

Russ, I scoured MLS and County Records for new comparable sales relative to the proposed alley vacation. My earlier Basis of Value Report was completed less than a year ago. It is my opinion that the estimate of value arrived at in the original report is still within the value range for the subject property. It is my opinion that the assessment value has not changed since the last analysis.

Lloyd Williams, Real Property Officer
City of Eugene Public Works/Engineering
99 E. Broadway, Suite 400
Eugene, OR 97401

OCHS Steve P

From: kstingle@efn.org
Sent: Tuesday, November 19, 2013 12:17 PM
To: OCHS Steve P
Subject: W Alley "vacation"

I got the neighbors' notification about CB Simons wanting to vacate the alley near my house.

I live at 354 W. 4th, and our property backs onto 4th alley, with a gate to the alley. I often use the alley in question, which is one block to the west of us. I strongly oppose taking this out of the public's use. I bicycle and walk for most of my transportation, and we have already lost several alleys downtown that I used to use, closed by adjoining businesses. They used the excuse that "bad stuff was happening there", but I consider this a red herring to allow them to put public property to their private use.

I don't know what reason CB Simons is using, but they would have to work hard to convince me. That alley is a good shortcut for me on both bicycle and foot, especially when the rain is coming from the south, as the building to the south provides shelter. But I argue that the bigger question is why we should allow private concerns to take away access on public property.

One more question: as I recall, they were already denied this vacation once before, perhaps by City Council? Is it a case of a manipulative kid who gets told "no" by Mom, then asking Dad, hoping for a different answer?

For me the answer is still NO. Alleys are important for many reasons and I don't think they should be given up to private concerns.

Karen Stingle
358 W 4th
Eugene OR 97401



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY

Public Hearing: An Ordinance Concerning Stormwater Management and Amending Sections 9.0500, 9.4780, 9.6790, 9.6791, 9.6792, 9.6796, 9.6797, 9.8030, 9.8055, 9.8090, 9.8100, 9.8215, 9.8220, 9.8320, 9.8325, 9.8440, 9.8445, 9.8515, and 9.8520 of the Eugene Code, 1971; and Providing an Effective Date

Meeting Date: December 9, 2013
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: 6
 Staff Contact: Peggy Keppler
 Contact Telephone Number: 541-682-2869

ISSUE STATEMENT

The City Council is scheduled to hold a public hearing on the proposed code amendments to Chapter 9 (Attachment A: Ordinance) implementing a hierarchy of best management practices (BMP) of on-site stormwater management techniques that emphasize and promote low impact development (LID) and green infrastructure approaches to improve water quality and clarifying flood control approval criteria.

BACKGROUND

Stormwater development standards regulate the siting, designing, constructing, and maintaining of stormwater management facilities applicable to the development of new and replaced impervious surfaces. The current stormwater development standards, required by the federal Clean Water Act and the City's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Discharge Permit (Municipal Stormwater Permit), have been in place since July 2006. They are an important element of the City's comprehensive stormwater program aimed at protecting and improving the water quality of Eugene's receiving streams including Amazon Creek and the Willamette River as well as reducing the risks and impacts of flooding events.

On December 30, 2010, the Oregon Department of Environmental Quality re-issued the City's Municipal Stormwater Permit. The new permit expands upon existing pollution reduction requirements and necessitates that the City revise its stormwater development standards to further reduce pollutants and mitigate the volume, duration, time of concentration and rate of stormwater runoff from developing sites. Stormwater pollutant loading from developed areas is a function of the type and intensity of land use and the increase in stormwater runoff volume and flow rates resulting from increased impervious surfaces. Low impact development and green infrastructure approaches employ infiltration and filtration mechanisms that mimic a site's hydrology prior to development, thereby reducing the negative effects of stormwater runoff volume on receiving streams. Infiltration and filtration water quality facilities can be integrated into most urban landscapes.

The proposed amendments fulfill the City's Municipal Stormwater Permit by implementing a hierarchy of low impact development practices, which includes:

- On-site infiltration facilities
- On-site filtration facilities
- Off-site publicly designed infiltration and filtration facilities

Proposed Amendments

EC 9.0500; 9.4780; 9.6790: Terminology "pollution reduction" is changed to "stormwater quality" to represent the integrated water quality benefits of pollution reduction and mitigated volume, duration, time of concentration and rate of stormwater runoff.

EC 9.6791: Terminology "destination" is changed to "flood control" to represent storm drainage and flood controls through design and construction of stormwater management facilities to have the capacity to protect life and property from flood and drainage hazards. Development permits that are discharging stormwater runoff into systems that were designed to convey the stormwater runoff from vacant properties as if they were developed will not require additional submittal information for permit approval.

EC 96792: This code section has been completely rewritten to reflect the low impact development and green infrastructure hierarchy of stormwater quality management. Unless exempt, all development permits, submitted after the effective date of the proposed ordinance, will be required to implement the hierarchy of on-site infiltration, on-site filtration, and payment to construct off-site public infrastructure. The threshold for impervious surface will remain at 1,000 square feet, or more, of new and replaced impervious surface area. Exempted development permits include:

1. Construction of less than 1,000 square feet impervious surface area.
2. Interior alterations of existing structures.
3. Maintenance or repair of existing impervious surfaces greater than 1,000 square feet provided improvements do not include replacing 50 percent or more of the stormwater facilities.
4. Construction of impervious surface area that has its runoff discharged to on-site privately maintained underground injection systems registered and approved by DEQ.
5. Construction of one- and two-family dwellings on lots and parcels created by land divisions approved by the City prior to the effective date of the proposed ordinance, that are consistent with the approved land use application and stormwater standards in place at the time of approval.
6. Construction of one- and two-family dwellings on lots and parcels created by land divisions approved by the City after the effective date of the proposed ordinance, which drain to treatment facilities constructed to treat runoff from streets and shared driveways and sized for the adjoining lots/parcels.

Land use applications without streets and shared driveways will be required to submit a site development plan that delineates site conditions that indicate whether infiltration facilities would be suitable but the hierarchy would not be implemented until builders submitted their development permit applications for new and replaced impervious surface.

Land use applications that include streets and shared driveways will be required to implement a modified hierarchy for the proposed streets and/or shared driveways as a condition of land use approval. Land use applicants can choose to upsize infiltration or filtration facilities to treat stormwater from the adjoining lots and parcels. If a land use applicant does not elect to construct an infiltration or filtration facility that is large enough to treat the stormwater runoff from streets/shared driveways and the adjoining lots/parcels, the lots/parcels created by a land division application will be required to address stormwater quality at the time of development permit application.

EC 9.6796: Amendments to this section to clarify that applicants must dedicate public easements for facilities located outside of the public right-of-way, providing treatment for runoff from public right-of-way and will be maintained by the City.

EC 9.6797: Amendments to this section to provide that, unless the applicant proposes private maintenance of a facility, the runoff from the public right-of-way will be constructed as a publicly owned and maintained facility; and, also deletes most of the code provisions regarding stormwater facility operation and maintenance that was applied at the land use application stage.

EC 9.8030; 9.8055; 9.8090; 9.8100; 9.8215; 9.8220; 9.8320; 9.8325; 9.8440; 9.8445; 9.8515; and 9.8520: Terminology for “pollution reduction” and “destination” are amended to stormwater “quality” and “flood control.”

EC 9.8320(9) and 9.8325(13): These sections are being deleted because the proposed code amendments in the stormwater development standards include stormwater management practices that address negative impacts on drainage ways due to increased impervious surface areas.

Public Notice and Testimony

The public hearing notice was sent to the City of Springfield, Lane County, all neighborhood organizations, as well as community groups and individuals who have requested notice. In addition, notice was published in *The Register Guard*.

As of the writing of this report, Boyd Iverson submitted written testimony (Attachment B). Mr. Iverson’s written testimony was submitted to the City Council anticipating the public hearing tentatively set for October 21, 2013. The hearing was postponed to provide further discussions on the code amendments with the Homebuilder’s Association of Lane County. Based on those conversations, the code was amended and most of Mr. Iverson’s concerns were addressed.

Additional written testimony that is received by staff before the hearing will be presented to the council at the hearing.

Code Approval Criteria

Attached are the findings of consistency with the applicable state land use criteria and related standards as provided at EC 9.8065 (Exhibit A to the Ordinance).

RELATED CITY POLICIES

The proposed code amendments are intended to implement stormwater development standards as a component of the City’s Stormwater Program initiated with the adoption of the Comprehensive Stormwater Management Plan (CSWMP) and as required through the Department of Environmental

Quality (DEQ)'s issuance of the City's National Pollutant Discharge Elimination System (NPDES) Permit.

COUNCIL OPTIONS

None, this is a public hearing only.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the Mayor and City Council convene the public hearing. Action on the ordinance is scheduled for the council meeting to be held on January 13, 2014.

SUGGESTED MOTION

None; this is a public hearing only.

ATTACHMENTS

- A. Ordinance and Exhibit A of the Ordinance
- B. Public Testimony received to date

ADDITIONAL INFORMATION: The following documents have been bound in a notebook labeled *Stormwater Development Standards and the City's NPDES Permit* and are available for review at the City Manager's Office and hereby expressly incorporated into the record before the City Council:

1. City Council Information: TBL Memo, November 20, 2013, City Council Work Session AIS and staff's presentation outline.
2. Eugene Website Public Outreach.
3. Eugene Planning Commission Agenda Item Summaries, Memos, Presentations and Minutes dated November 18, 2013, June 17, 2013, May 14, 2013, April 22, 2013, March 25, 2013, and August 7, 2012.
4. Memo to Interested Parties (with mailing list), January 15, 2013.
5. Update to DLCD Notice, April 15, 2013.
6. Public Hearing Notices and Mailing Lists.
7. DLCD Notice, April 1, 2013.
8. City of Eugene's December 30, 2010, National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Discharge Permit and the Oregon Department of Environmental Quality's Summary of Permit Action.

FOR MORE INFORMATION

Staff Contact: Peggy Keppler, Engineering Development Review Manager
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Staff E-Mail: peggy.a.keppler@ci.eugene.or.us

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING STORMWATER MANAGEMENT;
AMENDING SECTIONS 9.0500, 9.4780, 9.6790, 9.6791, 9.6792, 9.6796,
9.6797, 9.8030, 9.8055, 9.8090, 9.8100, 9.8215, 9.8220, 9.8320, 9.8325, 9.8440,
9.8445, 9.8515, AND 9.8520 OF THE EUGENE CODE, 1971; AND PROVIDING
FOR AN EFFECTIVE DATE.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by revising the definition of "Pollution reduction facility" to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

~~[Pollution reduction]~~ ***Stormwater quality facility.*** Any structure or drainage device that is designed, constructed, and maintained to collect and filter, retain, or detain surface water runoff during and after a storm event for the purpose of maintaining or improving surface and/or groundwater quality.

Section 2. Subsection (2)(e) of Section 9.4780 of the Eugene Code, 1971, is amended to provide as follows:

9.4780 **/WQ Water Quality Overlay Zone - Permitted and Prohibited Uses.** Uses are permitted or prohibited within the /WQ Water Quality Overlay Zone based on whether they occur outside or within the /WQ Management Area as follows:

(2) Uses Permitted Within /WQ Management Areas. Subject to any applicable development permits, the following uses are the only uses permitted outright within the /WQ Management Area:

(e) **Construction and Maintenance of Vegetated Stormwater Management Facilities.** Swales, filter strips, constructed wetlands, and other vegetated stormwater management facilities for ~~[pollution reduction]~~ ***stormwater quality*** or flow control are permitted if otherwise approved through the provisions of EC 9.6791 through 9.6797 in accordance with the Stormwater Management Manual adopted by administrative order of the city manager;

Section 3. Subsection (5) of Section 9.6790 of the Eugene Code, 1971, is amended to provide as follows:

9.6790 **Stormwater Management Manual.** In order to implement Section 9.6791 through 9.6797 of this code, the City Manager shall adopt in accordance with EC 2.019, City Manager – Administrative and Rulemaking Authority and Procedures, a Stormwater

Management Manual. The Stormwater Management Manual may contain forms, maps and facility agreements and shall include requirements that are consistent with the following goals:

- (5) Reduce pollutants of concern that are generated by identified site uses and site characteristics that are not addressed solely through the ~~[pollution reduction]~~ **stormwater quality** measures by implementing additional specific source control methods including reducing or eliminating pathways that may introduce pollutants into stormwater, capturing acute releases, directing wastewater discharges and areas with the potential for relatively consistent wastewater discharges to the wastewater system, containing spills on site, and avoiding preventable discharges to wastewater facilities, surface waters or ground waters.

Section 4. Section 9.6791 of the Eugene Code, 1971, is amended to provide as follows:

9.6791 Stormwater ~~[Destination]~~Flood Control.

- (1) **Purpose.** The purpose of EC 9.6791 is to protect life and property from flood and drainage hazards by maintaining the capacity of the city's stormwater conveyance system through the establishment of ~~[destination]~~ **flood control** regulations for stormwater runoff ~~[from development]~~.
- (2) **Applicability and Exemptions.**
 - (a) **Except as provided in EC 9.6791(2)(b), ~~[Destination]~~ flood control standards apply to all development permit applications and land use applications.**
 - (b) **The standards in EC 9.6791(3) do not apply to development permit applications where the proposed development will be served by a flood control facility that is a manmade drainage system designed to accommodate stormwater run-off generated by the stormwater basin area.**
- (3) **Standards.**
 - (a) Stormwater ~~[drainage]~~ **flood control** facilities shall be designed and constructed according to adopted plans and policies, and in accordance with standards in EC Chapters 6 and 7, and the stormwater ~~[destination]~~ **flood control** provisions and the facility design requirements set forth in the Stormwater Management Manual. ~~[On-site infiltration is the preferred stormwater destination for development in the River Road-Santa Clara Basin. An applicant proposing a new development must submit documentation to the city showing the stormwater destination into which the proposed development will be disposed.]~~
 - (b) **Based on the Rational Method flow calculation, stormwater runoff from the development site for the flood control design storm shall be:**
 1. **Discharged** ~~[The documentation must establish that the new development will be disposed of]~~ into existing stormwater ~~[drainage]~~ **flood control** facilities that, considering all developments that have received tentative or final plan approval as of the date the ~~[developer]~~ **applicant** submits a complete application, have the capacity to handle the stormwater runoff ~~[that will be generated by the proposed new development for the flood control design storm, or, if the applicant cannot establish that~~

~~existing stormwater drainage facilities have such capacity, the applicant must construct storm drainage facilities to accommodate the stormwater draining from the proposed development]; or~~

2. ***Retained or detained onsite; or***
 3. ***Discharged into a new stormwater flood control facility constructed by the applicant.***
- (4) **Underground Injection Control Systems.** Stormwater runoff [disposed of] ***discharged*** in underground systems is also regulated through the federal Underground Injection Control (UIC) program under Part C of the Safe Drinking Water Act (42 U.S.C. § 300, Chapter 6A, Subchapter XII) and Oregon Administrative Rule Chapter 340, Section 044.

Section 5. Section 9.6792 of the Eugene Code, 1971, is amended to provide as follows:

~~9.6792~~ **Stormwater Pollution Reduction**

- ~~(1)~~ **Purpose.** The purpose of EC 9.6792 is to reduce the impacts that urbanization is having on the city's water quality by providing standards for the capture and treatment of stormwater runoff from development.
- ~~(2)~~ **Applicability and Exemptions.**
- (a) ~~Except as exempt under EC 9.6792(2)(c), the standards in EC 9.6792(3) apply to all land use applications submitted after July 14, 2006 requesting approval of one or more of the following:~~
 1. ~~A cluster subdivision tentative plan (EC 9.8055);~~
 2. ~~A conditional use (EC 9.8090 or 9.8100);~~
 3. ~~A partition tentative plan (EC 9.8215 or 9.8220);~~
 4. ~~A planned unit development tentative plan (EC 9.8320 or 9.8325);~~
 5. ~~Site review (EC 9.8440 or 9.8445);~~
 6. ~~A subdivision tentative plan (EC 9.8515 or 9.8520).~~
 - (b) ~~Except as exempt under EC 9.6792(2)(c), the standards in EC 9.6792(3) apply to all applications for development permits submitted after July 14, 2006.~~
 - (c) ~~The standards in EC 9.6792(3) do not apply to:~~
 1. ~~A land use application that will result in the construction or creation of less than 1,000 square feet of new or replaced impervious surface at full buildout of the development.~~
 2. ~~A development permit application for any of the following:~~
 - a. ~~Development of a lot or parcel included in a land use application that was determined by the city to comply with the standards in EC 9.6792(3). For such a development permit, the approved land use plan shall control.~~
 - b. ~~Development of a lot or parcel that was not included in a land use application that was determined by the city to comply with the standards in EC 9.6792(3) and:~~
 - (1) ~~Will result in less than 1,000 square feet of new or replaced impervious surface within a 12 month period;~~
or
 - (2) ~~Is to construct or alter a one or two family dwelling; or~~
 - (3) ~~The replacement of more than 1,000 square feet of impervious surface for purposes of maintenance or~~

~~repair for the continuance of the current function, providing that as part of such maintenance and repair the applicant is replacing less than 50% of the length of the stormwater drainage system (including pipes, drainageway catch basins and drywells) on the development site.~~

~~(3) **Standards.**~~

- ~~(a) Applications shall include pollution reduction facilities selected from the Stormwater Management Manual as follows:

 - ~~1. For land use applications listed in EC 9.6792(2)(a) for undeveloped land, the selected pollution reduction facilities shall treat all the stormwater runoff from the development site that will result from the water quality design storm;~~
 - ~~2. For land use applications listed in EC 9.6792(2)(a) that change or add development to an already developed site, the selected pollution reduction facilities shall treat the stormwater runoff from all added and replaced impervious surface that will result from the water quality design storm;~~
 - ~~3. For development permit applications, the selected pollution reduction facilities shall treat all stormwater runoff from all new or replaced impervious surface, or an equivalent on-site area, that will result from the water quality design storm;~~~~
- ~~(b) All pollution reduction facilities shall be sited, designed and constructed according to the pollution reduction provisions and the facility design requirements set forth in the Stormwater Management Manual. Pollution reduction facilities must be designed using one of the three methodologies outlined in the Stormwater Management Manual.~~
- ~~(c) The standards in EC 9.6792(3) may be adjusted pursuant to EC 9.8030(24).]~~

9.6792 Stormwater Quality.

- (1) Purpose. The purpose of EC 9.6792 is to reduce runoff pollution and mitigate the volume, duration, time of concentration and rate of stormwater runoff from development by implementing stormwater management techniques that promote the use of natural and built systems for infiltration, evapotranspiration and reuse of rainwater and that use or mimic natural hydrologic processes while capturing and treating approximately 80% of the average annual rainfall.**
- (2) Applicability and Exemptions.**
 - (a) The standard in EC 9.6792(3)(a) applies to all land use applications submitted after [effective date of this ordinance] that do not propose construction of a public street, private street or a shared driveway.**
 - (b) The standards in EC 9.6792(3)(b), (e)-(g) apply to all land use applications submitted after [effective date of this ordinance] that propose construction of a public street.**
 - (c) The standards in EC 9.6792(3)(c), (e)-(g) apply to all land use applications submitted after [effective date of this ordinance] that propose construction of a private street or shared driveway.**

- (d) **Except as exempt under EC 9.6792(2)(e), the standards in EC 9.6792(3)(d)-(g) apply to applications for all development permits submitted after [effective date of this ordinance].**
- (e) **The standards in EC 9.6792(3)(d)-(g) do not apply to development permit applications:**
 - 1. **For the construction of less than 1,000 square feet of new or replaced impervious surface within a 12 month period;**
 - 2. **For interior alterations of an existing structure;**
 - 3. **For the construction of more than 1,000 square feet of impervious surface that replaces existing impervious surface for purposes of maintenance or repair for the continuance of the current function, providing that as part of such maintenance and repair the applicant is replacing less than 50% of the length of the stormwater drainage system (including pipes, drainageway catch basins and drywells) on the development site;**
 - 4. **For the construction of new or replaced impervious surface where all of the stormwater runoff from the impervious surface will discharge into an on-site, privately maintained underground injection control system that is registered and approved by the Oregon Department of Environmental Quality;**
 - 5. **For the construction of a one or two family dwelling on a lot or parcel that was created by a land division application submitted and approved by the City prior to [the effective date of this ordinance] that is consistent with the approved land use application and the City's stormwater quality (pollution reduction) standards in place at the time of the land division application; or**
 - 6. **For the construction of a one or two family dwelling on a lot or parcel that was created by a land division application that included the construction of a public or private street or shared driveway submitted and approved by the City after [the effective date of this ordinance] if the lot or parcel adjoins the public or private street or shared driveway and the facility within the public or private street or shared driveway is an infiltration or filtration facility designed and sized to accommodate stormwater runoff from the adjoining lots or parcels at full buildout of the lots or parcels.**

(3) Standards.

- (a) **For land use applications not proposing the construction of a public or private street or shared driveway, the applicant shall submit a site development plan that delineates the following conditions existing on the development site:**
 - 1. **Infiltration rates less than 2 inches per hour;**
 - 2. **Bedrock less than 5 feet below the ground surface;**
 - 3. **Groundwater elevations less than 6 feet; or,**
 - 4. **Ground surface slopes greater than 10%.**
- (b) **For land use applications proposing the construction of a public street, stormwater quality facilities to treat the stormwater runoff from the proposed public street shall be selected from the**

Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration, mechanical treatment.

1. **If selecting an infiltration or filtration facility to treat the stormwater runoff from the public street, the facility can be sized to also treat the stormwater runoff from the one and two family dwelling lots or parcels adjoining the public street based on full buildout of those lots or parcels.**
 2. **If using a mechanical facility to treat the stormwater runoff from the public street or if the infiltration or filtration facility is not sized to also treat the stormwater runoff from the adjoining lots or parcels at full buildout, all lots or parcels created by the land division application shall comply with EC 9.6792(3)(d)-(g) at the time of development permit application.**
- (c) **For land use applications proposing construction of a private street or shared driveway, stormwater quality facilities to treat the runoff from the proposed private street or shared driveway shall be selected from the Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration.**
1. **An infiltration or filtration treatment facility to treat the stormwater runoff from the shared driveway or private street can be sized to treat the stormwater runoff from the proposed one and two family dwelling lots or parcels that adjoin the shared driveway or private street based on full buildout of those lots or parcels.**
 2. **If the infiltration or filtration facility is not sized to treat the stormwater runoff from the adjoining lots or parcels at full build out, all lots or parcels created by the land division application must comply with EC 9.6792(3)(d)-(g) at the time of development permit application.**
- (d) **For development permit applications, stormwater quality facilities shall be selected from the Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration, off-site stormwater quality management.**
1. **If selecting a filtration treatment facility, the applicant shall submit a report that demonstrates at least one of the following development site conditions exist:**
 - a. **Infiltration rates are less than 2 inches per hour;**
 - b. **Bedrock is less than 5 feet below the ground surface;**
 - c. **Groundwater elevations are less than 6 feet; or,**
 - d. **Ground surface slopes are greater than 10%.**
 2. **If selecting off-site stormwater quality management by contributing to the public off-site stormwater quality facilities, through payment of a higher stormwater system development charge adopted as part of the City's system development charge methodology, the applicant shall submit a report that demonstrates there is insufficient land area to construct an approved infiltration or filtration facility by setting forth the required size of the smallest infiltration or filtration facility needed for the development's impervious surface area and a site plan demonstrating that an approved infiltration or**

filtration facility cannot be located on the development site without reducing the size of the proposed development which is otherwise consistent with all other applicable lot and development standards.

- (e) ***The selected stormwater quality facilities shall treat all stormwater runoff from all new or replaced impervious surface areas, or an equivalent on-site area, that will result from the water quality design storm except that the selected the stormwater quality facility does not need to treat the stormwater runoff from new or replaced impervious surface that is 500 sq. feet or less and does not gravity-feed into the selected treatment facility.***
- (f) ***All stormwater quality facilities shall be sited, designed and constructed according to the water quality provisions and the facility design requirements set forth in the Stormwater Management Manual.***
- (g) ***The standards in EC 9.6792(3) may be adjusted pursuant to EC 9.8030(24).***

Section 6. Subsection (3)(e) of Section 9.6796 of the Eugene Code, 1971, is amended to provide as follows:

9.6796 Dedication of Stormwater Easements.

- (3) **Standards.** The applicant must dedicate public easements approved by the city over city maintained stormwater management facilities provided the city makes findings to demonstrate consistency with constitutional requirements. The conveyance of ownership or dedication of easements may be required in any of the following circumstances:
 - (e) Where the ***facility will provide treatment for runoff from the public right-of-way and the City [has accepted functional maintenance responsibility for pollution reduction and/or flow control facilities in accordance with EC 9.6797(4)(b)] will be maintaining the facility.***

Section 7. Section 9.6797 of the Eugene Code, 1971, is amended to provide as follows:

9.6797 Stormwater Operation and Maintenance.

- ~~(1) [Purpose. The purpose of EC 9.6797 is to ensure that stormwater management facilities designed and constructed in accordance with EC 9.6791-9.6796 and the Stormwater Management Manual are operated and maintained in a manner that protects life and property from flood and drainage hazards, protects water quality, and protects the waterways in the headwaters area from the erosive effects of runoff.~~
- ~~(2) Applicability. Operation and maintenance standards apply to all facilities designed and constructed in accordance with EC 9.6792 through EC 9.6795 and the Stormwater Management Manual.~~
- ~~(3) Standards.

 - (a) Unless the city accepts the responsibility to operate and maintain a stormwater facility, all stormwater management facilities shall be privately operated and maintained.~~

~~(b)~~—All stormwater facilities shall be operated and maintained in accordance with EC Chapters 6 and 7, and the Stormwater Management Manual.

(2) Unless the applicant proposes private maintenance of the facility, a stormwater facility that will provide treatment for runoff from the public right-of-way shall be:

- (a) Designed and constructed through the Privately Engineered Public Improvement (PEPI) process; and**
- (b) Located in public rights of way or public easements dedicated in accordance with EC 9.6796; and**
- (c) Selected from the list of stormwater facilities identified in the Stormwater Management Manual as a type of facility that the City will operate and maintain.**

~~[(c) Privately maintained facilities. Applications proposing private operation and maintenance of all or part of the stormwater facility shall include an Operations and Maintenance Plan in accordance with the forms adopted as a part of the Stormwater Management Manual.~~

~~(d) Publicly maintained facilities. Applications proposing city operation and maintenance of all or part of the stormwater facility shall include an Operations and Maintenance Agreement in accordance with the facility agreements adopted as a part of the Stormwater Management Manual.~~

~~(4) City Maintenance.~~

~~(a) If the conditions of EC 9.6797(4)(b) are satisfied, the city will accept functional maintenance responsibility of the following facilities:~~

- ~~1. A facility designed and constructed to provide treatment solely for runoff from the public right-of-way;~~
- ~~2. A facility designed and constructed to provide treatment solely for runoff from 4 or more one and two family residential properties that are not under common ownership;~~
- ~~3. A facility designed and constructed to provide treatment solely for runoff that is a combination of one and two family residential properties not under common ownership and the public right-of-way.~~

~~(b) The city will accept functional maintenance responsibility of a facility listed in EC 9.6797(4)(a) if all of the following conditions are met:~~

- ~~1. The city has approved the dedication of the easement or public way to the city the property on which the facility is located or the city has approved plans allowing the facility to be placed within the public right-of-way; and~~
- ~~2. The city has approved plans dedicating the drainage system conveying runoff from the residential properties to the stormwater facility as a public drainage system; and~~
- ~~3. The stormwater facility access routes have been located within a dedicated public easement on private or commonly held property, within the public right-of-way or on city owned property; and~~
- ~~4. Sufficient easement area, right-of-way width or property have been provided to accommodate the construction and maintenance of all existing and proposed utilities and public infrastructure; and~~
- ~~5. The facility is designed and constructed in accordance with the city's Stormwater Management Manual; and~~
- ~~6. Access to the proposed facility allows maintenance to be performed using city owned maintenance equipment; and~~

~~7. As-construct plans of the drainage system shall be submitted designating all facilities that are proposed for public maintenance within 30 days of the city accepting maintenance responsibilities; and~~

~~8. The facility is designed and constructed in compliance with the city's Public Improvement Design Standards Manual.~~

~~(c) Notwithstanding EC 9.6797(4)(a) and (b), the city will not accept operation and maintenance responsibility of eco-roofs, roof gardens, pervious pavement, contained planters, tree credits, rainwater harvesting or private drywells.~~

~~(5) **Private Operation and Maintenance.** All privately operated and maintained stormwater management facilities shall be operated and maintained in accordance with EC Chapter 6.]~~

Section 8. Subsection (24) of Section 9.8030 of the Eugene Code, 1971, is amended to provide as follows:

9.8030 Adjustment Review - Approval Criteria. The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria.

(24) Stormwater [Pollution Reduction]Quality, Flow Control, Oil Control and Source Control Standards Adjustment.

(a) The requirement in EC 9.6792(3)[(a)1 and EC 9.6792(3)(a)3](e) that selected [pollution reduction] **stormwater quality** facilities shall treat all the stormwater runoff that will result from the water quality design storm may be adjusted upon a finding that the [selected pollution reduction] **stormwater quality** facility will treat as much of the runoff as possible and [one of the following applies:

~~1. The area generating untreated runoff is less than 500 square feet of impervious surface and is isolated from the pollution reduction facility;~~

~~2. The area generating untreated runoff is less than 500 square feet of impervious surface and it is not technically feasible to drain the untreated runoff to the pollution reduction facility;~~

~~3. Constructing pollution reduction] **stormwater quality** facilities to treat the runoff from the area at issue would require removal of trees or damage to other natural resources[; or~~

~~4. The area generating untreated runoff is less than 500 square feet of impervious surface and limited access to the area would prevent regular maintenance of the pollution reduction facility].~~

(b) The requirement in EC 9.6792(3)[(b)](f) that all [pollution reduction] **stormwater quality** facilities be selected from and sited, designed, and constructed according to the [pollution reduction] **stormwater quality** provisions and the facility design requirements set forth in the Stormwater Management Manual and that [pollution reduction] **stormwater quality** facilities must be designed using one of the methodologies outlined in the Stormwater Management Manual may be adjusted upon finding that all of the following requirements are met:

1. The proposed alternative design will achieve equal, or superior, results for function (reducing pollution), maintainability and safety, and the proposed siting does not adversely affect structures or other properties.
 2. The applicant's written description of the proposed alternative design has been reviewed and approved by the City Engineer. The description of the proposed design submitted for review must include all of the following information for each component of the proposed alternative design:
 - a. Size, technical description, capacity, capital cost, design life, construction process and costs, consequences of improper construction, operation and maintenance requirements and costs;
 - b. Data on the effectiveness of proposed alternative technologies, if available, including data from laboratory testing and pilot/full-scale operations, and information regarding the operations of any full-scale installations;
 - c. Any other available information about the proposed design, including peer review articles, scientific or engineering journals, and approvals from other jurisdictions.
 3. The applicant has submitted a method and schedule for monitoring the effectiveness of the proposed design once constructed, and a schedule for its maintenance.
 4. The applicant has submitted a signed statement that the applicant will replace the alternative [~~pollution reduction~~] **stormwater quality** facility if the facility does not function as proposed.
- (c) The requirement in EC 9.6793(3)(a) and EC 9.6793(3)(b) may be adjusted upon a finding that the flow control facility will control flow rates as much as possible and one of the following applies:
1. The area at issue generating runoff is less than 500 square feet of impervious surface and is isolated from the flow control facility;
 2. The area at issue generating runoff is less than 500 square feet of impervious surface and it is not technically feasible to drain the untreated runoff to the flow control facility;
 3. Constructing facilities to control the flow of runoff from the area at issue would require removal of trees or damage to other natural resources;
 4. The area at issue generating runoff is less than 500 square feet of impervious surface and limited access to the area would prevent regular maintenance of the flow control facility.
- (d) The requirements in EC 9.6793(3)(d) that all flow control facilities be selected from and sited, designed, and constructed according to the flow control provisions and the facility design requirements set forth in the Stormwater Management Manual may be adjusted upon finding that all of the following requirements are met:
1. The proposed alternative design will achieve equal, or superior, results for function (maintaining flow or restricting flow or both), maintainability and safety, and the proposed siting does not adversely affect structures or other properties;
 2. The applicant's written description of the proposed alternative design has been reviewed and approved by the City Engineer.

The description of the proposed design submitted for review must include all of the following information for each component of the proposed alternative design:

- a. Size, technical description, capacity, capital cost, design life, construction process and costs, consequences of improper construction, operation and maintenance requirements and costs;
 - b. Data on the effectiveness of proposed alternative design, if available, including data from laboratory testing and pilot/full-scale operations, and information regarding the operations of any full-scale installations;
 - c. Any other available information about the proposed design, including peer review articles, scientific or engineering journals, and approvals from other jurisdictions.
3. The applicant has submitted a method and schedule for monitoring the effectiveness of the proposed design once constructed, and a schedule for its maintenance;
 4. The applicant has submitted a signed statement that the applicant will replace the alternative flow control facility if the facility does not function as proposed.
- (e) The requirement in EC 9.6795(3) that oil control facilities be sited, designed and constructed according to the oil control provisions and the facility design requirements set forth in the Stormwater Management Manual may be adjusted if the applicant can demonstrate that the selected oil control facility will achieve the same result as those listed in the Stormwater Management Manual.
 - (f) The requirement in EC 9.6796(3) that source controls be sited, designed and constructed according to source control provisions set forth in the Stormwater Management Manual may be adjusted if the applicant can demonstrate that the selected source control will achieve the same result as those listed in the Stormwater Management Manual. Applicants seeking an adjustment to EC 9.6796(3) must submit a completed authorization request form adopted as part of the Stormwater Management Manual.

Section 9. Subsection (1)(d) of Section 9.8055 of the Eugene Code, 1971, is amended to provide as follows:

9.8055 **Cluster Subdivision- Approval Criteria - General.** The planning director shall approve, approve with conditions, or deny a proposed cluster subdivision. Approval or approval with conditions shall be based on the following:

- (1) The proposed subdivision complies with:
 - (d) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 10. Subsection (8)(d) of Section 9.8090 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8090** **Conditional Use Permit Approval Criteria - General.** A conditional use permit shall be granted only if the proposal conforms to all of the following criteria:
- (8) The proposal complies with all applicable standards, including but not limited to:
 - (d) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance; and

Section 11. Subsection (4)(h) of Section 9.8100 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8100** **Conditional Use Permit Approval Criteria- Needed Housing.** The hearings official shall approve, conditionally approve, or deny the conditional use permit application. Unless the applicant elects to use the general criteria contained in EC 9.8090 Conditional Use Permit Approval Criteria - General, where the applicant proposes needed housing, as defined by the State statutes, the hearings official shall approve or approve with conditions a conditional use based on compliance with the following criteria:
- (4) The proposal complies with all applicable standards, including, but not limited to:
 - (h) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 12. Subsection (1)(j) of Section 9.8215 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8215** **Partition, Tentative Plan Approval Criteria- General.** The planning director shall approve, approve with conditions, or deny a partition, with findings and conclusions. Approval, or approval with conditions, shall be based on compliance with the following criteria:
- (1) The proposed partition complies with all of the following:
 - (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 13. Subsection (2)(j) of Section 9.8220 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8220** **Partition, Tentative Plan Approval Criteria- Needed Housing.** The planning

director shall approve, conditionally approve, or deny the partition application. Unless the applicant elects to use the general criteria contained in EC 9.8215 Partition, Tentative Plan Approval Criteria- General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a partition based on compliance with the following criteria:

- (2) The proposed partition complies with all of the following:
- (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 14. Subsections (5)(a), (10) and (11)(j) of Section 9.8320 the Eugene Code, 1971, are amended; and subsection (9) of that Section is repealed to provide as follows. Subsections (10) through (16) of that Section are renumbered to (9) through (15).

9.8320 Tentative Planned Unit Development Approval Criteria- General. The hearings official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria:

- (5) The PUD provides safe and adequate transportation systems through compliance with the following:

- (a) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection [(11)](10) below).

~~(9) Stormwater runoff from the PUD will not create significant negative impacts on natural drainage courses either on-site or downstream, including, but not limited to, erosion, scouring, turbidity, or transport of sediment due to increased peak flows or velocity.]~~

~~(10) Lots proposed for development with one-family detached dwellings shall comply with EC 9.2790 Solar Lot Standards or as modified according to subsection [(11)](10) below.~~

~~(11) The PUD complies with all of the following:~~

- (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 15. Subsection (7)(j) of Section 9.8325 of the Eugene Code, 1971, is amended; and subsection 13) of that Section is provide as follows:

9.8325 Tentative Planned Unit Development Approval Criteria - Needed Housing. The hearings official shall approve, conditionally approve, or deny the PUD application with findings and conclusions. Unless the applicant elects to use the general criteria contained in EC 9.8320 Tentative Planned Unit Development Approval Criteria - General, where the applicant proposes needed housing, as defined by the State statutes, the hearings official shall approve or approve with conditions a PUD based on compliance with the following criteria:

- (7) The PUD complies with all of the following:
 - (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.
- ~~(13) Stormwater runoff from the PUD will not damage natural drainage courses either on-site or downstream by eroding or scouring the natural drainage courses or by causing turbidity, or the transport of sediment due to increased peak flows or velocity.~~

Section 16. Subsection (5)(j) of Section 9.8440 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8440 Site Review Approval Criteria-General.** The planning director shall approve, conditionally approve, or deny the site review application. Approval or conditional approval shall be based on compliance with the following criteria:
- (5) The proposal complies with all of the following standards:
 - (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 17. Subsection (4)(j) of Section 9.8445 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8445 Site Review Approval Criteria- Needed Housing.** The planning director shall approve, conditionally approve, or deny the site review application. Unless the applicant elects to use the general criteria contained in EC 9.8440 Site Review Approval Criteria - General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a site review based on compliance with the following criteria:
- (4) The proposal complies with all of the following standards:
 - (j) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 18. Subsection (10)(h) of Section 9.8515 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8515 Subdivision, Tentative Plan Approval Criteria - General.** The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:
- (10) The proposed subdivision complies with all of the following unless specifically exempt from compliance through a code provisions applicable to a special area zone or overlay zone:
 - (h) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 19. Subsection (3)(k) of Section 9.8520 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8520 Subdivision, Tentative Plan Approval Criteria- Needed Housing.** The planning director shall approve, conditionally approve, or deny the subdivision application. Unless the applicant elects to use the general criteria contained in EC 9.8515 Subdivision, Tentative Plan Approval Criteria- General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a subdivision based on compliance with the following criteria:
- (3)** The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:
 - (k) EC 9.6791 through 9.6797 regarding stormwater [~~destination, pollution reduction~~]**flood control, quality**, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

Section 20. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 21. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 22. 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 hereof.

Section 23. Notwithstanding the effective date of Ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective on March 1, 2014.

Passed by the City Council this
____ day of January, 2014

Approved by the Mayor this
____ day of January, 2014

City Recorder

Mayor

Adoption of Code Amendments: Eugene Code Section 9.8065 requires that the following criteria be applied to a code amendment:

- (1) *The amendments are consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.*

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City has acknowledged provisions for citizen involvement that insure the opportunity for citizens to be involved in all phases of the planning process and encourage such involvement. The action taken did not amend the citizen involvement program.

Staff notified interested parties, the Lane County Homebuilders, Eugene's Neighborhood Leaders Council, Long Tom Watershed Council, and the Eugene Chamber of Commerce of the proposed stormwater management code amendments and offered to meet with them individually to clarify the proposal and answer questions. To date, no one has asked for additional information.

In an effort to ensure the information and status would be available, staff established a website that holds the proposed amendments, time schedule, and instructions on how to become involved.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of this ordinance will begin with a Eugene Planning Commission work session held on March 25, 2013. On May 14, 2013, a public hearing was held before the Eugene Planning Commission on the proposed amendments. Department of Land Conservation and Development notice, notice to interested parties and newspaper publication was provided for that hearing. The City Council held a duly noticed public hearing on December 9, 2013, to consider approval, modification, or denial of the proposed ordinance. These processes afford ample opportunity for citizen involvement consistent with Goal 1.

The process for adopting the amendments complies with Goal 1 since it is consistent with, and will not change, the City's existing and acknowledged citizen involvement provisions.

Goal 2 - Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

The Eugene Land Use Code specifies the procedure and criteria that are used in considering these amendments to the code. The record shows that there is an adequate factual base for the amendments.

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. These amendments do not affect any other governmental units.

There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Goal 2.

Goal 3 - Agricultural Lands. To Preserve Agricultural Lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Goal 3 does not apply.

Goal 4 - Forest Lands. To conserve forest lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. To conserve open space and protect natural and scenic resources.

OAR 660-023-0250(3) provides:

Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged UGB. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 addresses waste and process discharges from development and is aimed at protecting air, water and land from impacts from those discharges. This goal requires that local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

The proposed amendments to Eugene's Stormwater Development Standards are one component of the larger Stormwater Program initiated by the Department of Environmental Quality (DEQ)'s approval of the City's National Pollutant Discharge Elimination System (NPDES) permit. The City's NPDES Stormwater permit, first issued in 1994 by DEQ, and subsequently re-issued in March 2004 and December 2010, includes measures which, in total, fulfill the applicable Clean Water Act requirements for large municipalities over 100,000 in population.

The City's December 2010 NPDES Stormwater permit requires that the City continue to implement their post-construction stormwater pollutant and runoff control program. Additionally, the 2010 permit requires that, by January 1, 2014, the City's program as it applies to new development and redevelopment projects that create or replace 1000 sq. ft. of impervious surface: 1. Incorporate site-specific management practices to mimic natural surface or predevelopment hydrologic functions as much as practicable, optimizing on-site retention; 2. Reduce site specific post-development stormwater runoff volume, duration and rates of discharges to the municipal separate storm sewer system to minimize hydrological and water quality impacts from impervious surfaces; 3. Prioritize and include implementation of Low-Impact Development, Green Infrastructure or equivalent planning, design and construction approaches; and, 4. Capture and treat 80% of the annual average runoff volume, based on a documented local or regional rainfall frequency and intensity.

Current stormwater development standards require locating, designing, constructing, and maintaining stormwater facilities applicable to the development of new and replaced impervious surfaces to reduce pollutants before discharging runoff from the development site to the city's stormwater system and that all stormwater runoff from impervious surfaces be discharged to an approved location. The proposed amendments will further reduce pollutants and mitigate the volume, duration, time of concentration and rate of stormwater runoff to the city stormwater system.

More specifically, the proposed amendments for stormwater management will implement a best management practices (BMP) hierarchy of on-site stormwater management techniques that emphasize and promote Low Impact Development and Green Infrastructure approaches which improve water quality and increase capacity in the city's stormwater system. Low Impact Development and Green Infrastructure approaches emphasize practices that seek to mimic the site's hydrology before development, thereby reducing negative effects of stormwater runoff on nearby rivers, lakes, streams and wetlands.

For the reasons stated above, the amendments are consistent with Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not effect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Goal 7 does not apply.

Goal 8 - Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for recreation areas, facilities or recreational opportunities. Therefore, Goal 8 does not apply.

Goal 9 - Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The City's Industrial Lands Inventory is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule.

The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Goal 9.

The stormwater development standards do not render any property unusable for commercial or industrial uses. The amendments prioritize the selection of stormwater quality facilities in the following order: infiltration, filtration, off-site stormwater quality management. Applicants that do not have sufficient land to install infiltration or filtration facilities can provide off-site stormwater quality management by contributing to the public off-site stormwater quality facilities through the payment of a higher stormwater system development charge (SDC) adopted as part of the City's system development charge methodology. Payment of a higher SDC to fund off-site stormwater quality management capital projects in lieu of constructing private on-site infiltration and filtration facilities does not restrict any buildable land area. An applicant demonstrates insufficient land area by submitting a report setting forth the required size of the smallest infiltration or filtration facility needed for the development's impervious surface area and a site plan demonstrating that an approved infiltration or filtration facility cannot be located

on the development site without reducing the size of the proposed development which is otherwise consistent with all other applicable lot and development standards.

Considering this provision in the stormwater development standards, the application of these amendments to a property zoned and designated for commercial or industrial use will not result in a diminution in the area's supply of commercial or industrial land. Additionally, the code provisions allowing an applicant to adjust some of the standards are not being amended. Therefore, these amendments are consistent with Goal 9.

Goal 10 - Housing. To provide for the housing needs of citizens of the state.

The amendments do not impact the supply of residential lands. Therefore, the amendments are consistent with Goal 10. The stormwater development standards do not render any property unusable for residential uses. As noted above, while the amendments prioritize infiltration and filtration stormwater quality facilities over off-site stormwater quality management, applicants demonstrating insufficient land area for use of the infiltration and filtration options can pay a higher SDC to fund public off-site facilities in lieu of constructing an on-site treatment facility. An applicant demonstrates insufficient land area by submitting a report setting forth the required size of the smallest infiltration or filtration facility needed for the development's impervious surface area and a site plan demonstrating that an approved infiltration or filtration facility cannot be located on the development site without reducing the size of the proposed development which is otherwise consistent with all other applicable lot and development standards.

Considering this provision in the stormwater development standards, the application of these regulations to a property zoned and designated for residential use will not result in a diminution in the area's supply of residential land. Therefore, these amendments are consistent with Goal 10.

Goal 11- Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The Eugene-Springfield metropolitan area has an acknowledged Public Facilities and Services Plan (PFSP). The PFSP describes the public stormwater facilities necessary to support that land uses designated in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) within the urban growth boundary. These amendments are consistent with the adopted Eugene-Springfield Metro Area PFSP. Further, these amendments do not effect the City's provision of any public facilities and services, including stormwater facilities and services. Therefore, Goal 11 does not apply.

Goal 12- Transportation. To provide and encourage a safe, convenient and economic transportation system.

Goal 12 is implemented through the Transportation Planning Rule (TPR). The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is enacted at the local level.

The Transportation Planning Rule (OAR 660-012-0060) states that land use changes that significantly affect a transportation facility shall require mitigation measures to address the anticipated impacts. The rule states that:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Adoption of these amendments will not change the functional classification of an existing or planned transportation facility. Nor will it change standards implementing a functional classification system. Further, it will not allow types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a

transportation facility or reduce the performance standards of any facility. Therefore, Goal 12 is not implicated by these amendments.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendments do not impact energy conservation. Therefore, Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Goal 14 does not apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The Willamette River Greenway area within the Eugene Urban Growth Boundary is governed by existing local provisions which have been acknowledged as complying with Goal 15. Those provisions are unchanged by these amendments. Therefore, Goal 15 does not apply.

Goals 16 - 19. *Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean resources.*

These Statewide Planning Goals do not apply to the actions taken.

(2) The amendments are consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The proposed code amendments add regulations to the Land Use Code with the intent of protecting life and property from flood and drainage hazards, reducing the impacts that urbanization is having on the City's water quality, and protecting waterways from erosive effects of increases in stormwater runoff. Additionally, the proposed code amendments refine the City's current stormwater management code provisions in an effort to further reduce pollutant loading to receiving waters from developed areas. The proposed amendments require development applicants to select stormwater quality facilities from the Stormwater Management Manual based on the following priority order: infiltration, filtration, off-site stormwater quality management. Each of these priorities is described below:

1. Infiltration: On-site infiltration facilities (*i.e.* stormwater planters and rain gardens) reduce pollutants and mitigate the volume, duration, and time of concentration and rate of stormwater runoff.

2. Filtration: On-site filtration facilities (*i.e.* stormwater planters, rain gardens, vegetative and grassy swales, and filter strips) reduce pollutants and mitigate a portion of the volume, duration, and time of concentration and rate of stormwater runoff.

3. Off-Site Stormwater Quality Management: Public off-site infiltration and filtration treatment facilities designed and constructed utilizing stormwater system development charges collected from development applications that are not able to construct private infiltration or filtration due to site constraints.

Prioritizing the available stormwater quality facilities in a hierarchical order in which infiltration and filtration are prioritized above off-site stormwater quality management, while still allowing off-site treatment when site conditions or the desired development of the site renders infiltration and filtration facilities impractical will: (1) facilitate (and encourages) a development's incorporation of site-specific management practices that mimic natural surface or predevelopment hydrological functions as much as practicable, optimizing on-site retention based on site conditions; (2) result in reduced site specific post-development stormwater runoff, volume, duration and rates of discharge to the municipal separate storm sewer system (MS4), thereby minimizing hydrological and water quality impacts from impervious surface; (3) encourage and facilitate the applicable and practical uses of low-impact-development or green infrastructure, while allowing other stormwater quality management techniques then use of these approaches is impractical; (4) further the intent to capture and treat 80% of the annual average runoff volume; and, (5) encourage design and implementation techniques intended to minimize impervious surfaces and reduces stormwater runoff.

- Metro Plan Policies - The above-described stormwater development standards are consistent with the following Metro Plan Policies:

Environmental Resources Element:

18. *Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.*

21. *Local government shall continue to monitor, to plan for, and to enforce applicable air and water quality standards and shall cooperate in meeting applicable federal, state, and local air and water quality standards.*

25. *Eugene shall maintain and improve and Springfield shall adopt hillside development regulations.*

Public Facilities and Services Element - Services to Development Within the Urban Growth Boundary: Stormwater

G.13 *Improve surface and ground water quality and quantity in the metropolitan area by developing regulations or instituting programs for stormwater to:*

- Increase public awareness of techniques and practices private individuals can employ to help correct water quality and quantity problems;*
- Improve management of industrial and commercial operations to reduce negative water quality and quantity impacts;*

- c. *Regulate site planning for new development and construction to better manage pre- and post-construction storm runoff, including erosion, velocity, pollutant loading, and drainage;*
- d. *Increase storage and retention and natural infiltration of storm runoff to lower and delay peak storm flows and to settle out pollutants prior to discharge into regulated waterways;*
- e. *Require on-site contracts and development standards, as practical, to reduce off-site impacts from stormwater runoff;*
- f. *Use natural and simple mechanical treatment systems to provide treatment for potentially contaminated runoff waters;*
- g. *Reduce street-related water quality and quantity problems;*
- h. *Regulate use and require containment and/or pretreatment of toxic substances;*
- i. *Include containment measures in site review standards to minimize the effects of chemical and petroleum spills; and*
- j. *Consider impacts to ground water quality in the design and location of dry well.*

G.14 *Implement changes to stormwater facilities and management practices to reduce the presence of pollutants regulated under the Clean Water Act and to address the requirements of the Endangered Species Act.*

G.15 *Consider wellhead protection areas and surface water supplies when planning stormwater facilities.*

G.16 *Manage or enhance waterways and open stormwater systems to reduce water quality impacts from runoff to improve stormwater conveyance.*

G.17 *Include measures in local land development regulations that minimize the amount of impervious surface in new development in a manner that reduces stormwater pollution, reduces the negative affects from increases in runoff, and is compatible with Metro Plan policies.*

- Refinement Plan Policies – The above-described stormwater development standards are consistent with following refinement plan policies:

Comprehensive Stormwater Management Plan Policies:

1.1 *Incorporate the beneficial functions (flood control, stormwater conveyance, water quality treatment) of natural resources into the city's storm drainage system.*

1.2 *Maintain flood control, drainage, and water quality treatment capacities along the city's stormwater conveyance corridors while protecting and enhancing the health, diversity and continuity for wildlife habitat, native vegetation, and endangered species.*

1.6 *Balance the operational needs of managing natural resource and wildlife habitat areas against any associated nuisance conditions that may result.*

1.8 Evaluate the effectiveness and appropriateness of a variety of surface water management facilities for meeting the multiple objectives of this plan.

2.1 Meet or exceed federal flood hazard requirements.

2.2 Protect adjoining land uses from flood and drainage hazards.

2.3 Maximize the capacity of existing stormwater facilities especially where deficiencies exist by encouraging the use of techniques that lower and slow the rate of stormwater runoff.

3.1 Meet or exceed federal and state stormwater quality requirements especially where they conform with existing local policy.

3.3 Reduce stormwater pollution associated with new construction and development, soil erosion, improper use of stormwater facilities, and city operations and maintenance practices.

3.4 Evaluate the effectiveness of stormwater quality management measures.

4.1 Maintain the stormwater system through techniques and practices that balance flood control, drainage services, water quality, and natural resource protection needs.

Willakenzie Area Plan Policies, Public Facilities and Services Element – Natural Drainage:

1 Encourage development practices that reduce the need for construction of an extensive subsurface storm sewer system.

2. Encourage growth and development patterns that are compatible with natural features and discourage the alteration of natural features. Relocation of natural drainage features may be considered as an alternative to replacement with a closed pipe system.

3. Encourage measures that will improve the quality the storm-water runoff discharge into local waterways.

(3) The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.

The proposed amendments do not establish a special area zone. Therefore, this criterion does not apply to these amendments.

To the Eugene City Council,

Please enter this letter into the record for the City Council meeting scheduled for October 21st 2013. I would prefer to be at the meeting, since what is being decided is so extremely important, but I have pre-arranged plans to be out of town during this time period.

I am writing this letter to address my concerns regarding the current Storm Water treatment requirements, proposed by the City of Eugene Public Works Department. I am a life time Eugene resident, and have been involved in real estate sales, real estate development and new home construction in Eugene since 1975.

This current proposal has not been well thought through or adequately analyzed for the following reasons. This proposed code change, is also only the Public Works Department's interpretation, of what the DEQ's guidelines require, and this proposed code change is only directed at a small segment of Eugene's population.

I would appreciate it if you would delay your consideration of these amendments so that you can carefully consider the information that is contained in my letter and other individual's testimony, which are able to make the meeting.

You may not agree with all of the information that I have submitted, but the consequences of this code adjustment are very severe and very one sided, will have long range consequences, and really are not the best way to address what should be a "community wide concern".

First and foremost the City of Eugene has many other options for storm water treatment that are not being researched. Instead, City Officials have continually directed their requirements to a very small segment of Eugene's population, i.e. people developing new properties and people choosing to build and live in new homes. This is a community wide event and should be, if it's found to actually be needed, funded by the entire community, and should be a City Maintained facility or facilities.

Other cities have addressed DEQ's concerns in other ways, and some other cities have had discussions with DEQ about how to mitigate the costs and expenses, or even to actually re-define, what is required by the various rules.

The City of Eugene has made their own interpretation as to what needs to be done and then has gone forward with "their", single option, solution, i.e. systems development charges on new construction with the added expenses for home builders, home purchasers and developers. And now they want to remove the use of Mechanical treatment systems for entire subdivisions, require on site water filtration or infiltration, and if that cannot be done then require each lot to install and maintain their own private Mechanical storm water treatment

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system. They are also removing the previous exemption of lots which were developed prior to 2006 and are going to require on site treatment either with filtration/infiltration systems or if that can't be done, then on site individual mechanical treatment systems. These requirements are not financially feasible.

The City of Eugene HAS COLLECTED MILLIONS OF DOLLARS IN SDC FEES AND STORM WATER CHARGES AND HAS NOT CREATED A SINGLE STORM WATER TREATMENT CENTER!! These fees should be used for the purpose they are being charged for "collection and treatment" of storm water! Some other possible storm water treatment options, would be to use the Amazon Canal and Amazon Canal right of way for a filtration/infiltration are, for many homes in the south hills, the various wetland areas throughout the Eugene area could be used for infiltration/filtration for large areas on the South West Hills, the property recently purchased from Rexius could be used as a natural treatment area, before the filtered water is disbursed into the Amazon Canal. The large parcel located on the east side of City View between 11th and Westmoreland School, that was preserved for wetlands, but isn't "wet" most of the time, could be used as a natural "treatment area" and at the same time create habitat for various animals. The natural drainage way through the Wayne Morse Park could be used to collect and treat water from the south hills. Currently the storm water from land to the south of the Park simply drains, in an open storm water pipe, onto and through the park, with no treatment.

Also, mechanical or other water filtration products could be placed in existing storm sewer manholes and existing catch basin to filter water before it enters the main storm water system. Also land could be purchased for infiltration/filtration locations, (the deep open pits at Delta Sand and Gravel or Wildish) or existing ponds along the Delta Highway, the Northwest Express and other similar locations, and could be used for natural infiltration/filtration. You could also use existing land owned by the City and use it for storm water treatment.

But instead on installing treatment systems in existing Storm Water manholes and catch basins, in the City, it is my understanding that the Public Works department is removing the "low profile treatment elbows" and similar treatment equipment, in many of the existing catch basins, because they don't want to deal with them. I've heard that this is true, but the Council can verify the truthfulness of this statement. Also the Public Works Department is the one wanting to end the public maintenance of privately installed and paid for, mechanical storm water treatment facilities. It does not seem right that code changes should be based on the Public Works Departments, unwillingness to maintain existing treatment systems and locations, thereby causing thousands of single lot mechanical systems that have to be maintained by private property owners. Also if the City continues to do what they have been doing in the past with private "bio-swales" and similar devices, that is hire City Staff to police these systems, then these new codes will create hundreds of thousands of dollars of added expense, to hire more

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people to inspect all of these new systems. Does the City have the funds to hire all of these new employees?

All of the above these options would be much cheaper and much more effective than the current proposed regulations, would make use of existing resources and properties, would not diminish the land available for development within the Urban Services Boundary, not cause potential law suits, and not place an unfair burden on a very small segment of Eugene's, new home purchasing and home building population.

I would suggest that the City give some private engineers a chance to come up with ideas and also require the City Engineering Staff, and the Public Works Department, to come up with more viable solutions for water treatment, rather than just shoving it into the laps of individual home owners.

I thought that that the "Public Works Department" was supposed to "help the public", not impose unneeded and costly regulations on them!

These new proposed regulations are going to require treatment of water running off roofs in new homes and remodels, that is actually purer than the creeks (Amazon creek) and the ultimate water way (The Willamette River) that they drain into. This obviously also doesn't make any sense.

The current proposal by the City is even more expensive and more un-reasonable than any previous requirements, This proposal will remove the exemption for lots developed before 2006 and require home remodels and home impervious surface repairs, be required to treat water runoff from roofs and driveways, even if it requires an individual mechanical storm water treatment for each home (individual mechanical storm water treatment for a single residence costs between \$10,000 and \$15,000).

If the proposed ordinance is enacted a high percentage of the "available" lots in south, southeast and southwest Eugene will require this individual mechanical treatment, and the City will need to redo and re-analyze the amount of "available land" that can be used for residential construction, in these areas. The City will also have to re-analyze the amount of homes that can be created by developing the existing land within the Urban Services boundary, since, with the removal of the mechanical "joint treatment" option for new subdivisions, the water will have to be treated on site, in large containment ponds, or bio-swales on site, or on enlarged lots, to allow for onsite "filtration or infiltration", and these requirements will greatly reduce the amount of lots that can be created.

The City will also have to re-analyze the State “affordable” housing rule, and should also expect a probable taking and or loss of value (Dolan Case), class action law suit, and or, a Measure 37 Claim.

There also has been no “cost” analysis given to the City Planning Commission when they recommended this code amendment, nor was there a clear explanation by the City of Eugene, about what this code amendment would require and the ultimate consequences of these requirements, both in additional costs to land owners, home owners and or builders, and also to the City. Nor was there a discussion about the need to redo the recently completed, available lands analysis, within the current Urban Services Boundary, in regards to these code changes. The City also did no “lot value reduction analysis”, to determine if there was any loss in lot value to private property owners, they only got the City attorney’s opinion, who would be the one paid to fight any claims in court, and he of course said, that the code was “enforceable”.

Obviously the City has not provided adequate information or adequately researched and documented the many consequences of this proposed ordinance, the many alternative less costly and more efficient water treatment options, or the documented specific requirements from DEQ, for any elected official to make an informed decision!

If storm water treatment is going to be required for any “impervious surface” areas over 600 to 1,000 sq. feet, in the private sector, then the City needs to analyze what their added costs will be for treating the storm water on any of their public street or public building repair or improvement projects !! This would run up to \$100,000’s of dollars.

Also simply because the Public Works Department does not want to be responsible for maintenance of the Joint Mechanical Treatment Facilities that are currently required for new subdivisions, and actually do a very good job at treating all storm water from any new subdivisions, they are choosing to end all “collective water treatment facilities”, and instead want to place the cost, maintenance and upkeep of thousands of individual mechanical systems on individual private home owners. This on-going cost figure also needs to be figured into the loss of value analysis, in relation to lowering lot values.

Further as mentioned above, all of these treatment systems will have to be inspected yearly by City of Eugene employees, and this will cost the taxpayers of Eugene a very large sum of money. There was also no cost analysis done for the cost of hiring additional City Employees to monitor and inspect hundreds and thousands of these systems on a yearly basis.

This is way too big a decision to be made considering all of the above concerns without the City doing a lot more research and provide a lot more answers, to the many important questions that have not been addressed.

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The Public Works Department has talked about giving some “credit” to sdc fees for storm water treatment, though they have not created any numbers. If this code is approved in its current form, which it should not be, there should be no “token credit”, given for storm water treatment, there should be full reduction of any sdc fees equal to the cost of the individual storm water treatment options.

As a real live example. Aeries Park PUD was approved and developed prior to these requirements. It is a 28 lot subdivision, in the southwest hills located off of Hawkins Lane. It is mostly undeveloped, due to the drop in the economy. The soils on this site and the slopes on this site will not allow individual infiltration/filtration systems, so each lot will require an individual mechanical storm water treatment facility. There have been 4 homes built in this subdivision, so in this subdivision alone, it will cost the remaining 24 individual property owners between \$240,000 and \$360,000 dollars to treat their storm water. This is not right!!!!

There are many other examples of this same situation, and in fact there are 100's to 1,000's of lot that will require individual mechanical storm water treatment systems, since they will be unable to comply with the filtration/infiltration requirements of this proposal. And there will be thousands of lots in new subdivisions that will not be allowed to have a central, mechanical storm water treatment system. The cost of this ordinance will be in the Millions of dollars, very quickly!!

Other information that the City Council might want to research before even thinking about making a decision of these proposed code changes. 1. Check out what other Cities have done to “comply” with DEQ's requirements, I do not believe that any other cities have required individual, single lot storm water treatment. 2. Other cities, as mentioned, have had meetings with DEQ to clarify what is required to meet their goals and guidelines, and have even negotiated what they were going to do and were willing to do. DEQ's guidelines are not cast in stone; they are open to interpretation and various ways to accomplish. 3. No one in the City has clarified what “will happen” if Eugene does not meet the goals and guidelines, nor have they clarified exactly what needs to be done. They have been so busy making their own interpretation of what they are going to require of the private sector, that there has been little to no research, as to what the “consequences” might be or even if there are actually, any “consequences” or even what constitutes “non-compliance”. 4. There is no government requirement to “stop any water contamination, only a requirement to improve what is currently being done. Ending the use of subdivision wide, Mechanical Storm water treatment systems that have been approved in the past is going backwards. There is no way that requiring individual privately owned and maintained, on site storm water treatment system will create purer storm water. That would be like saying that individual septic tanks are a better way to treat sanitary sewer. We have all learned the hard way that that is not true and that is why individual septic systems have been “outlawed” in the City and replaced with a City wide sanitary sewer treatment center. 5. Storm water treatment funds have been used for other purposes besides storm water treatment. 6. Do an analysis of how much money is collected in

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“storm water fees” and SDC storm water fees each year, how much money has been collected since the program began, and what specific “treatment facilities” have been created with these funds. The private sector which currently pays these fees, and the private sector that will be building new homes, and paying very high costs to meet these new proposed guidelines, needs to have an answer to these questions. 7. Why Has the City chosen to place the burden for what they are requiring in these new codes to a very small number of people in the City of Eugene? A group of people who cannot effectively defend themselves, from these charges and won’t even know about these charges until they try to develop their land or choose to purchase a new home. 8. What are the costs to “infill housing” within the City core, that the City says is so important to meet their housing goals and limit expansion of the Urban Services Boundary. 9. How will this code affect the need to annex additional land for the City to meet their needed housing goals? 10. This code revision forces “individual storm water treatment”. There is no a cost benefit to treating 100’s and thousands of homes individually rather than jointly, if there was then the City would not run a City wide sanitary sewer treatment plant. 11. Also, a number of these home treatment programs will fail, just like many of the individual septic systems failed, due to poor soil, conditions, and what will the City do then? They required the treatment, they approved the design and ultimately the City will have the responsibility of fixing these systems. . 12. It is my understanding, in talking with Peggy Keppler, that any lots in the south hills that are on a slope greater than 10%, and or do not have pervious soils (all soils in the south hills are relatively impervious and most available lots and developable land has a grade over 10%), and as such will be required to install an onsite, individual lot, mechanical treatment system at a cost of \$10,000 to \$15,000 a home!! This will be required on all pre-existing lots no matter when they were platted and what’s even more ridiculous, is that with the previous code, an entire subdivision could be treated with a large mechanical water treatment system, and this will no longer be allowed. These full subdivision treatment systems were and are the most effective water treatment program that the City has, but now the City wants to end their use!

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