



Eugene City Council

125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

May 12, 2014

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 May 12, 2014;
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 WORK SESSION

Harris Hall

A. EXECUTIVE SESSION (pursuant to ORS 192.660(2)(e))

B. ACTION:

An Ordinance Vacating a Portion of Mill Alley, Located between East 8th Avenue and East Broadway, and a Portion of East 8th Alley, Located between High Street and Mill Alley (VRI 14-1)

- C. ACTION:
Council Approval of Budget Committee Recommendation on
Potential Library Levy Committee**

**CITY COUNCIL MEETING
Harris Hall**

- 1. CEREMONIAL MATTERS**
- 2. PUBLIC FORUM**
- 3. 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. Ratification of MWMC FY 2014-15 Regional Wastewater Program Budget and CIP**
- 4. WORK SESSION:
Fireworks**

**time approximate*

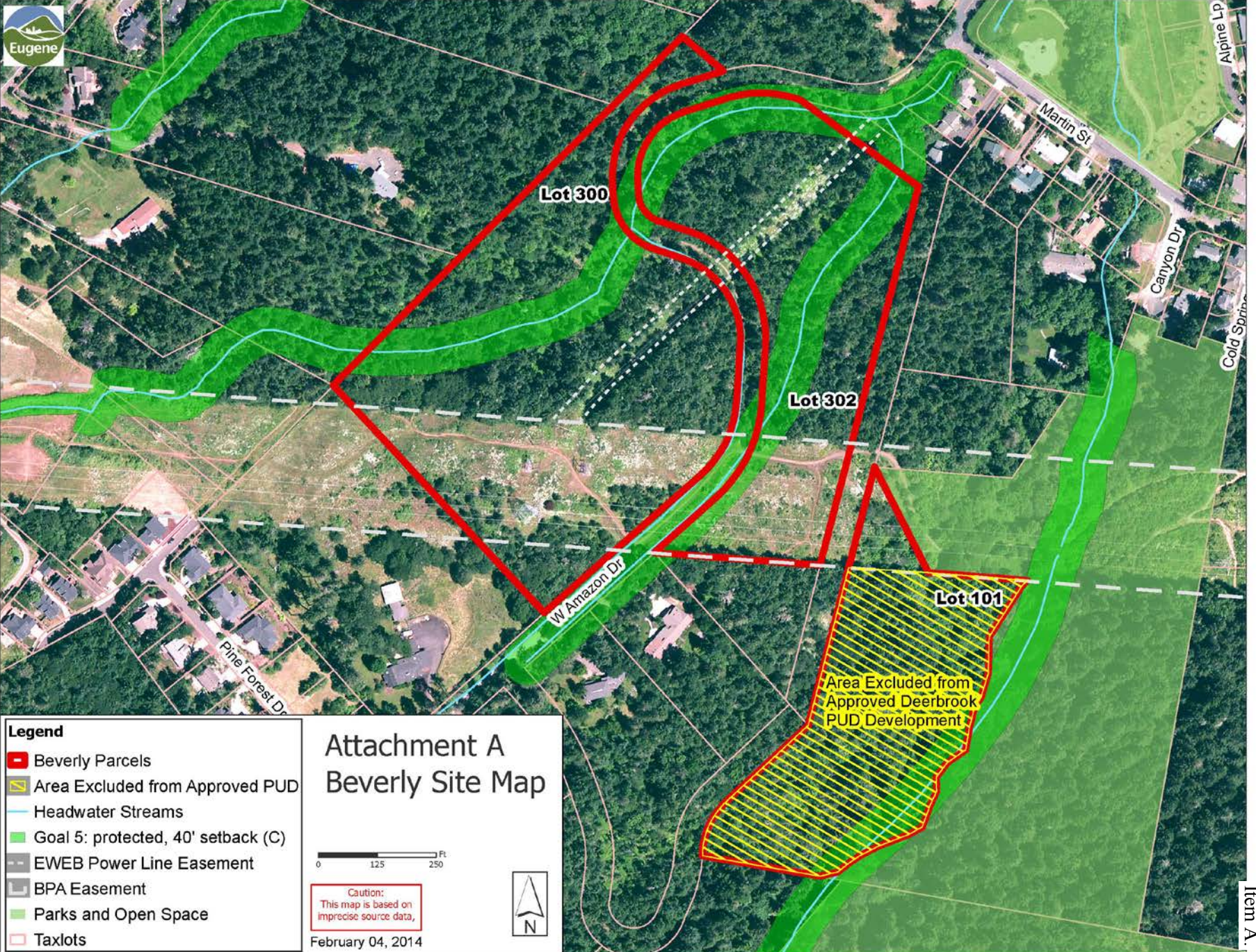
The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will 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 interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes 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 estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

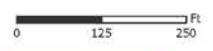
For more information, contact the Council Coordinator at 541-682-5010,

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



- Legend**
- Beverly Parcels
 - Area Excluded from Approved PUD
 - Headwater Streams
 - Goal 5: protected, 40' setback (C)
 - EWEB Power Line Easement
 - BPA Easement
 - Parks and Open Space
 - Taxlots

Attachment A Beverly Site Map

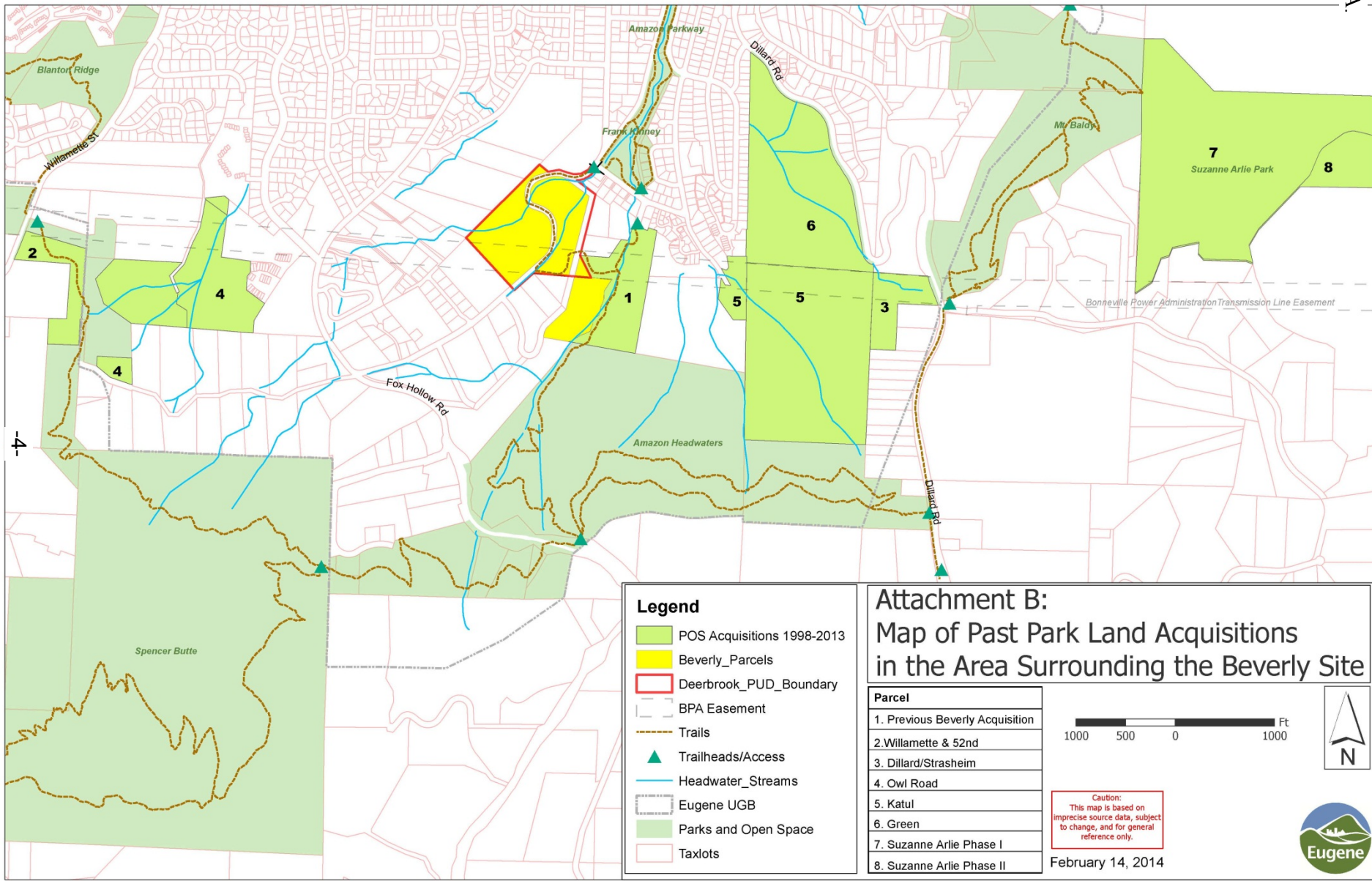


Caution:
 This map is based on
 imprecise source data,
 February 04, 2014



C

Item A

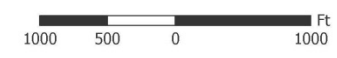


Legend

- POS Acquisitions 1998-2013
- Beverly_Parcels
- Deerbrook_PUD_Boundary
- BPA Easement
- Trails
- Trailheads/Access
- Headwater_Streams
- Eugene UGB
- Parks and Open Space
- Taxlots

Attachment B: Map of Past Park Land Acquisitions in the Area Surrounding the Beverly Site

Parcel
1. Previous Beverly Acquisition
2. Willamette & 52nd
3. Dillard/Strasheim
4. Owl Road
5. Katul
6. Green
7. Suzanne Arlie Phase I
8. Suzanne Arlie Phase II



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

February 14, 2014



2006 PROS BOND UPDATE

\$27,000,000 Budgeted

-\$17,538,000 Expended

-\$794,000 Under Contract

\$8,668,000 **Currently Remaining**

-\$4,500,000 If Civic Moves Forward

\$4,168,000 **Would Remain**

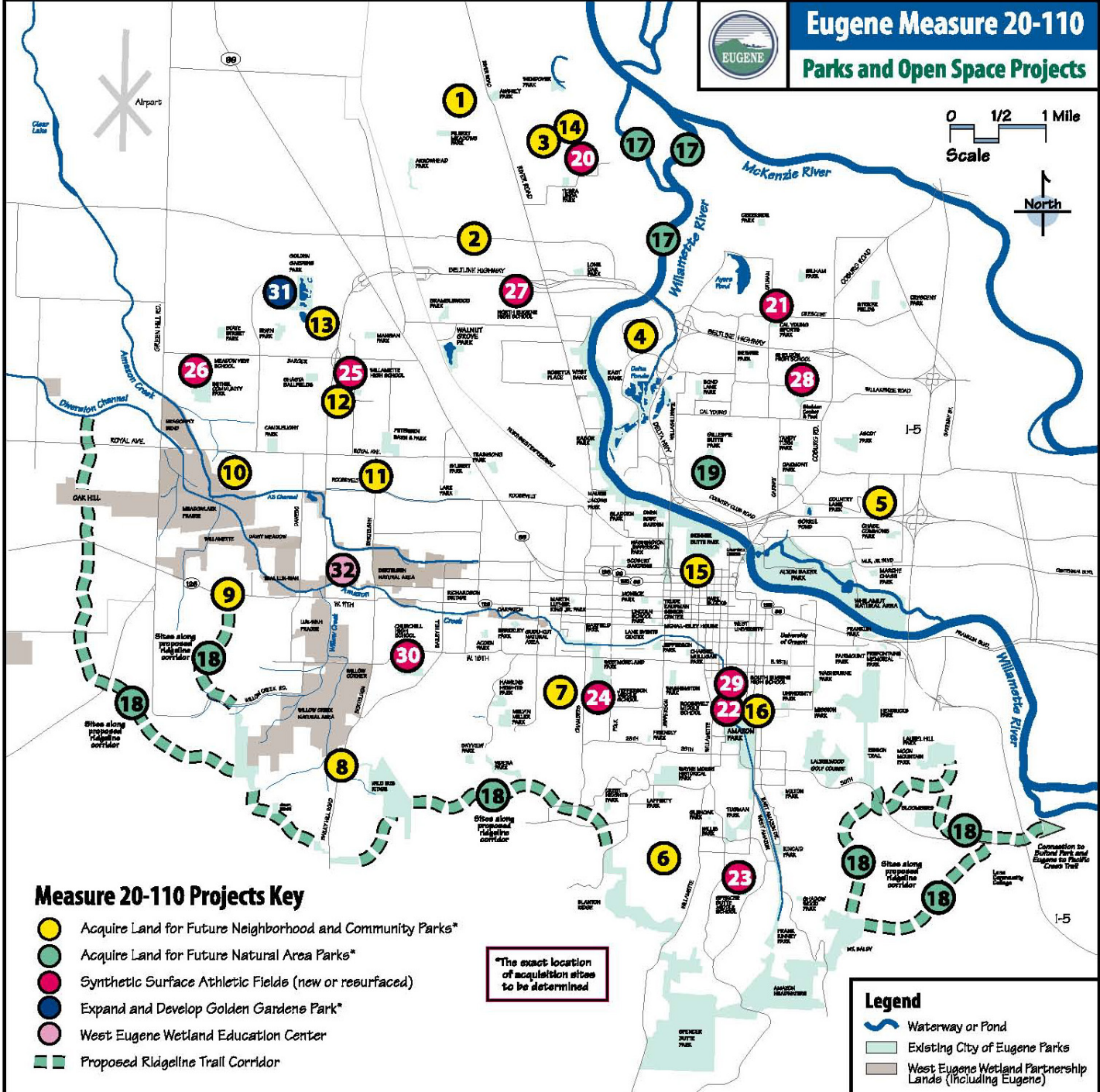
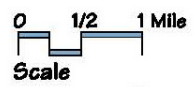
-\$3,065,000 In Targeted Acquisitions

\$1,103,000 If Projects Moved Forward



Eugene Measure 20-110

Parks and Open Space Projects



Measure 20-110 Projects Key

- Acquire Land for Future Neighborhood and Community Parks*
- Acquire Land for Future Natural Area Parks*
- Synthetic Surface Athletic Fields (new or resurfaced)
- Expand and Develop Golden Gardens Park*
- West Eugene Wetland Education Center
- Proposed Rialto Trail Corridor

*The exact location of acquisition sites to be determined

Legend

- ~ Waterway or Pond
- Existing City of Eugene Parks
- West Eugene Wetland Partnership Lands (Including Eugene)



**POS Active Acquisition Targets
February 14, 2014**

Type	2006 Bond No.	Neighborhood/Area	Est. Acres	Est. Cost
Neighborhood and Community Parks				
<i>Neighborhood</i>	1	Santa Clara	1.5	\$250,000
<i>Neighborhood</i>	3	Santa Clara	4.0	\$340,000
<i>Neighborhood</i>	9	Churchill/W Eugene	4.0	\$350,000
<i>Neighborhood</i>	10	Bethel	4.5	\$105,000
<i>Community</i>	14	Santa Clara	0.5	\$50,000
Total Neighborhood & Community Parks			14.5	\$1,095,000

Natural Area Parks				
<i>Willamette River</i>	17	Santa Clara	~20	\$550,000
<i>Ridgeline</i>	18*	SW Eugene	20-100	\$250,000
<i>Ridgeline</i>	18*	SW Eugene	40-207	\$600,000
<i>Ridgeline</i>	18*	Laurelhill	20-75	\$300,000
<i>Ridgeline</i>	18*	SW Eugene	20	\$150,000
<i>Ridgeline</i>	18*	SW Eugene	80	\$120,000
Total Natural Area Parks			~200 - 500	\$1,970,000

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: An Ordinance Vacating a Portion of Mill Alley, Located between East 8th Avenue and East Broadway, and a Portion of East 8th Alley, Located between High Street and Mill Alley (VRI 14-1)

Meeting Date: May 12, 2014
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: B
 Staff Contact: Becky Taylor
 Contact Telephone Number: 541-682-5437

ISSUE STATEMENT

The City Council is scheduled to take action on an ordinance for the right-of-way vacation request submitted by Broadway and Pearl Associates, LLC. The requested vacation of two improved public rights-of-way consists of the following: the portion of Mill Alley that is 14 feet wide and 334 feet in length, between East 8th Avenue and East Broadway; and the portion of East 8th Alley that is 14 feet wide and 160 feet long, between High Street and Mill Alley.

BACKGROUND

On April 21, 2014, the City Council held a public hearing to consider the applicant's request for vacation of the segments of Mill Alley and East 8th Alley, described above and as shown in Attachment A. The total area of request consists of 6,916 square feet of public right-of-way. The applicant owns all of the properties abutting the alleys proposed to be vacated, and has provided evidence of consent to the vacation from owners of at least two-thirds of the property within the affected area.

The applicant proposes to reserve a 14-foot public utility easement over the entire segment of Mill Alley, for underground utilities. With the retention of this easement, any larger buildings will need to be oriented in a north-south direction. As such, vacation of the East 8th Alley is necessary in order to establish a reasonable buildable area that can facilitate redevelopment of this site.

The applicant provided a conceptual redevelopment plan at the hearing to illustrate their intention to revitalize the entire block and demonstrate the need for the vacations, see Attachment B. The concept calls for the replacement of the two existing buildings and disjointed surface parking lots with a consolidated development concept for the entire block. While this plan is conceptual in nature, it attempts to demonstrate how this site is likely to be redeveloped and how vacation of the current alleys is necessary in order to accommodate redevelopment options similar to the applicant's illustration.

The public hearing was conducted consistent with quasi-judicial procedures in State law and as set forth in EC 9.7065 through EC 9.7095. The record was held open for an additional two weeks,

which closed on May 5, 2014. All written testimony is included in the application file, a copy of which is contained in a binder that has been placed in the Council Office for reference. A summary of comments from the public is provided in Attachment C.

Applicable Criteria

This request for vacation is being considered in accordance with sections 9.8700-9.8725 of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080-271.230, and processed pursuant to EC 9.7445–9.7455. Consent of the owners of the requisite area has been obtained and the applicant has paid a deposit equal to the fair market assessed value of the property, as determined by City of Eugene appraisal staff. The relevant approval criterion from EC 9.8725 for the proposed right-of-way vacation is 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.

The findings provided within the ordinance (see Attachment D) demonstrate that vacation of the portion of Mill Alley, located between East 8th Avenue and East Broadway, and the portion of East 8th Alley, located between High Street and Mill Alley, is in the public interest. This determination is based on the conclusion that vacation of these alleys will provide efficient use of land and will not negatively impact the transportation system, surrounding neighborhoods or emergency access. The requested vacation of the alleys is also in the public interest because it would enhance future development opportunities of the adjacent lands through the consolidation of the site. Upon vacation of the right-of-way, the underlying land would be added to the tax rolls.

Additionally, this conclusion is based on the condition that the applicant will provide a perpetual easement and right-of-way along the northern boundary of the block (east of Mill Alley) that is five feet in width, abutting East 8th Avenue. This additional street width will enable the City to implement its vision for an enhanced pedestrian gateway along East 8th Avenue. The City will receive a special assessment for the alleys being vacated, the value of which is being paid by the applicant in a combination of cash and dedication of the easement abutting East 8th Avenue, based on its fair market value. The ordinance that would approve the requested vacation includes the condition that the applicant dedicate a five-foot wide perpetual easement and right-of-way abutting East 8th Avenue to enable an enhanced pedestrian system and for the retention of a public utility easement over Mill Alley to ensure continued maintenance access to underground utilities.

Staff therefore recommends that the council conclude that approval of the vacation request is found to be in the public interest, as required by the approval criteria. Detailed findings to support these conclusions are provided within the ordinance, included as Attachment D.

COUNCIL OPTIONS

The council may:

1. Approve the alley vacation and adopt the ordinance as attached.
2. Approve the alley vacation with modified conditions.

3. Deny the alley vacation application.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council approve the vacation request and adopt the ordinance as attached.

SUGGESTED MOTION

Move to adopt Council Bill 5112, an ordinance vacating the portion of Mill Alley, located between East 8th Avenue and East Broadway, and the portion of East 8th Alley, located between High Street and Mill Alley, and retaining a public utility easement over Mill Alley, and providing for an effective date.

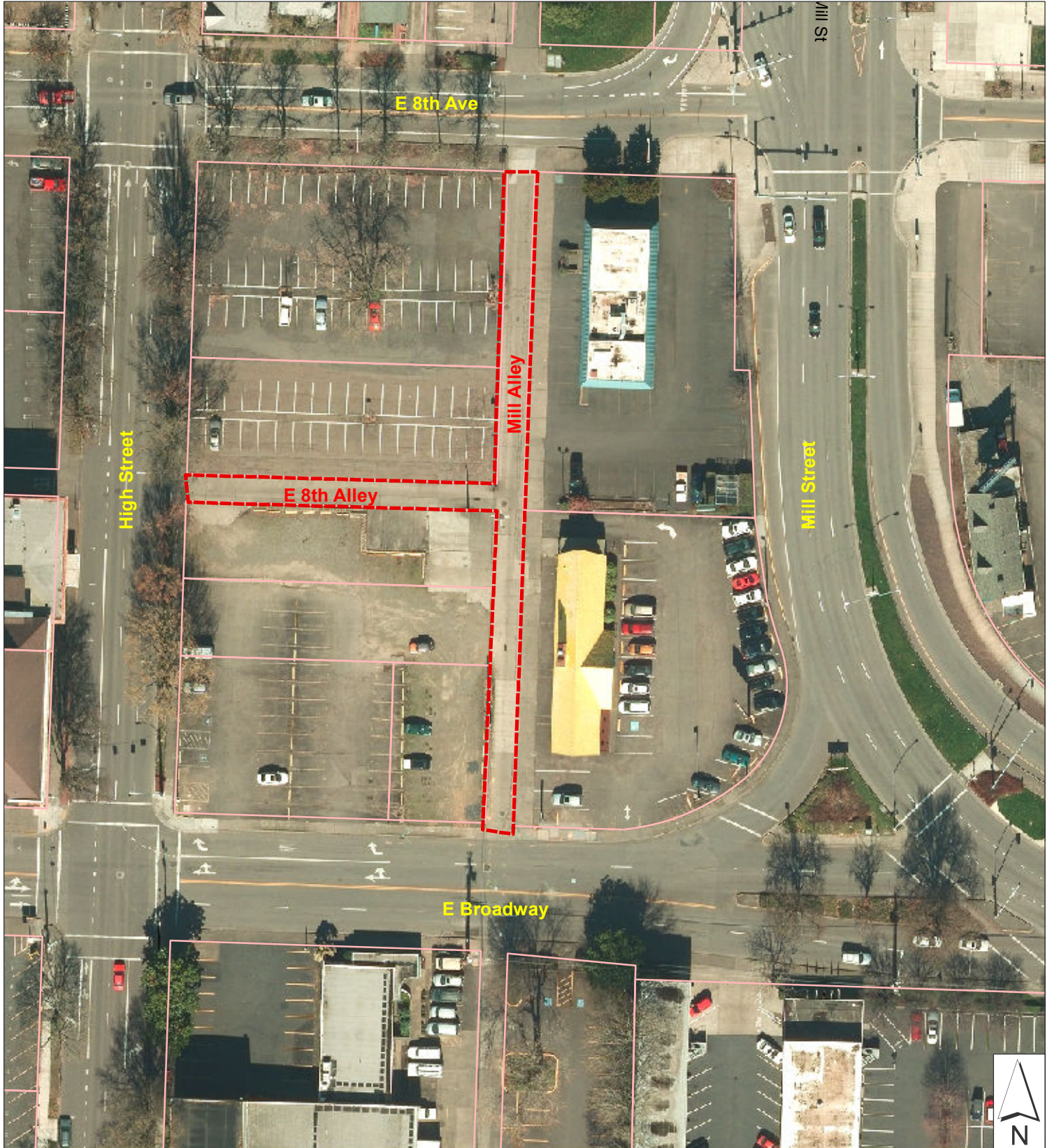
ATTACHMENTS

- A. Aerial Context Map of Alley Vacation Request
- B. Conceptual Redevelopment Illustration
- C. Public Comment Summary
- D. Ordinance (with Exhibits A – E) for Alley Vacation

FOR MORE INFORMATION

Staff Contact: Becky Taylor, Associate Planner
Telephone: 541-682-5437
Staff E-Mail: becky.g.taylor@ci.eugene.or.us

Right-of-Way Vacation Request (VR1 14-1)



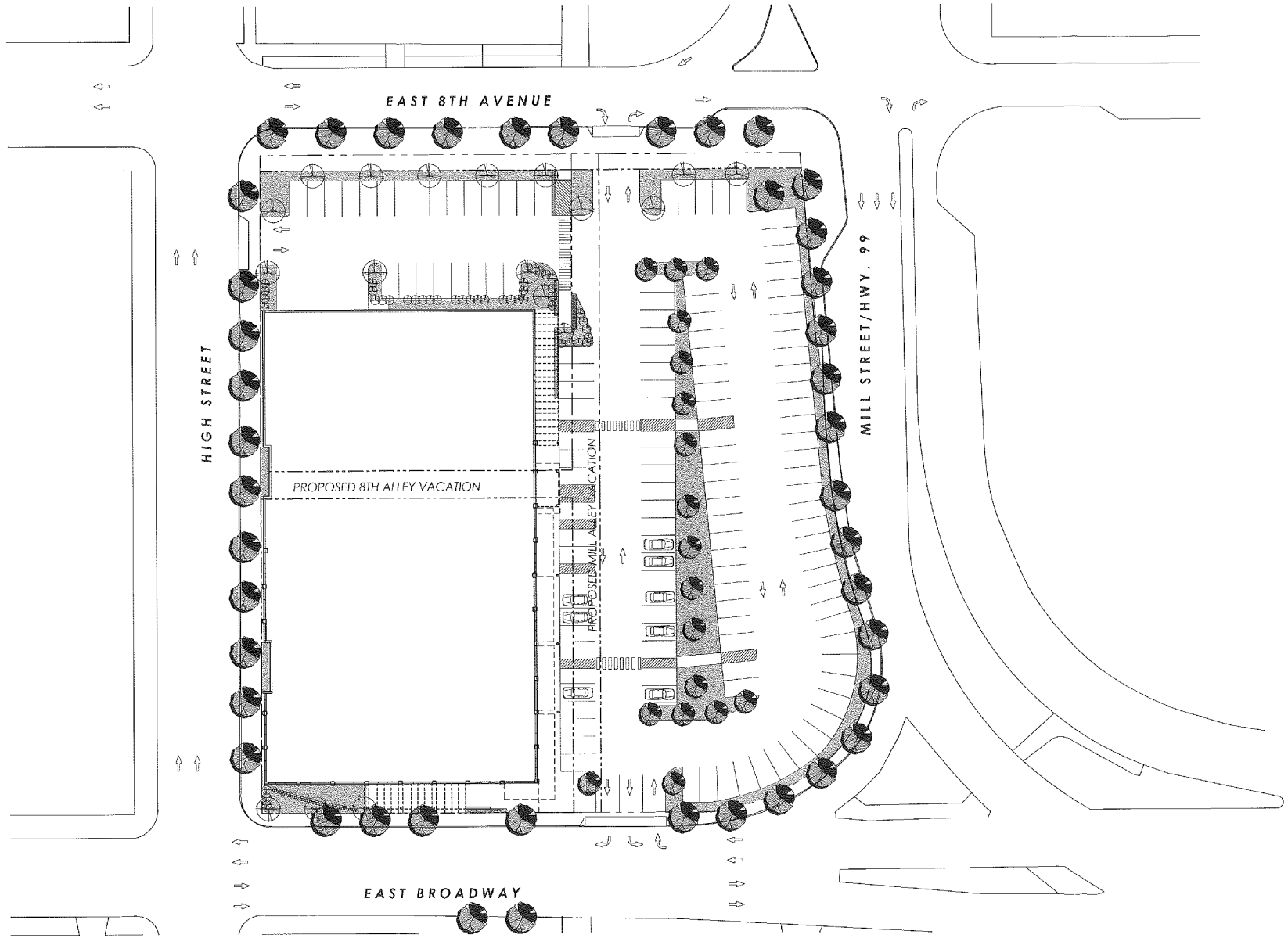
Legend
 □ Taxlots



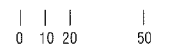
Caution:
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February 19, 2014



-14-



**Attachment C:
Public Comment Summary**

Public Comment Index

Testimony received during the open record period is listed below. All written testimony is included in the application file.

In Favor

- Sue Prichard, email dated April 21, 2014
- Debbie Jeffries, email dated April 21, 2014
- Erik Riechers, email dated April 21, 2014
- Carol Schirmer, email dated April 21, 2014
- Brent MacCluer, email dated April 21, 2014
- Milton Oilar, email dated April 21, 2014
- Kelly Bosch, email dated April 21, 2014
- Sherry Schaefers, email dated April 21, 2014
- Kristen Taylor, written and oral testimony provided April 21, 2014
- David Davini, oral testimony provided April 21, 2014
- Sarah Bennett, oral testimony provided April 21, 2014
- Dave Hauser, oral testimony provided April 21, 2014
- Walter Larsen, email dated April 22, 2014
- David Davini, letter dated April 24, 2014
- Mary Fuller, email dated April 27, 2014
- Sally Dietrich, email dated April 28, 2014
- Kathy Bulchis, email dated April 28, 2014
- Alan Evans, letter received April 28, 2014
- Beth Met, email received April 30, 2014
- Marilyn Lockman, email received May 1, 2014
- Constance Van Flandern, email dated May 1, 2014
- Sarah Maggio, email dated May 4, 2014
- Elaine Lawson, email dated May 5, 2014
- Nathan Svejcar, email dated May 5, 2014
- Susan Boettcher, email dated May 5, 2014
- Judy Grubbs, email dated May 5, 2014

Opposed

- Mark Robinowitz, oral testimony provided April 21, 2014
- Gavin McComas, oral testimony provided April 21, 2014
- Kyra Buckley, oral testimony provided April 21, 2014
- Paul Nicholson, email dated April 24, 2014

Summary of Public Comment Received

Thirty public comments were received during open record period including 26 comments in favor of the vacation and four comments opposed to the vacation. Support for the vacation generally focused on encouraging downtown redevelopment and increasing the potential for active development on the site. Opposition to the vacation generally focused on whether it was in the public interest.

Staff Response

The alleys under consideration were dedicated as part of the Mulligan's Addition subdivision, which created the surrounding lots and blocks. The City does not own the alley property, but it does retain the rights to it. State law establishes that when public rights are vacated, the underlying land reverts to the property that originally dedicated the right-of-way. If the Council approves the vacation, the alleys would revert to the abutting lands, which are under common ownership by the applicant. Accordingly, the City would be releasing the public rights and collecting an assessed fair market value of the land underlying the alleys. The assessed value of the land is being paid by the applicant in a combination of cash and dedication of the perpetual easement and right-of-way abutting East 8th Avenue. In addition to the assessed value, releasing the alley rights-of-way would make the underlying land taxable.

Alleys provide vehicle access to parking and loading areas for buildings within a block. When lots are under separate ownership within a block, the benefit of a public alley is to enable a mid-block property owner to have delivery-vehicle access to the backside of buildings; conversely, when lots are under common ownership within a block, the need for a public alley to enable access is not apparent.

The draft ordinance provides for the retention of a public utility easement, to ensure continued maintenance access to underground utilities, and for the dedication of a perpetual easement and right-of-way abutting East 8th Avenue, to enable an enhanced pedestrian system. The ordinance includes detailed findings of compliance with the approval criterion to demonstrate that the vacation is in the public interest (see Exhibit E.)

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF MILL ALLEY, LOCATED BETWEEN EAST 8TH AVENUE AND EAST BROADWAY, AND A PORTION OF EAST 8TH ALLEY, LOCATED BETWEEN HIGH STREET AND MILL ALLEY, AND PROVIDING FOR AN EFFECTIVE DATE.

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 April 21, 2014, at Harris Hall, for the purpose of hearing protests and remonstrances to the proposed vacation of the following described right-of-way:

The portion of **Mill Alley**, located between East 8th Avenue and East Broadway, as more particularly described in Exhibit A and depicted on the map attached as Exhibit B, reserving a public utility easement over the entire 14 feet of right-of-way width, and the portion of **East 8th Alley**, located between High Street and Mill Alley, as more particularly described in Exhibit C and depicted on the map attached as Exhibit D

B. Notice was duly and regularly given of the public hearing, and on April 21, 2014, 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 E to this Ordinance.

Section 2. The rights-of-way described and depicted on Exhibits A through D 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.

Section 4. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of passage by the City Council and approval by the Mayor, or upon the recording of a right-of-way easement in a form acceptable to the City Manager for a five-foot wide easement abutting East 8th Avenue between Mill Alley and Mill Street, whichever is later.

Passed by the City Council this

Approved by the Mayor this

_____ **day of May, 2014.**

_____ **day of May, 2014.**

City Recorder

Mayor

LEGAL DESCRIPTION

For: Vacation of a Portion of the Mill Alley 14.00' Public Right-Of-Way

A 14.00 foot wide strip of land situated in the Southeast Quarter of the Northeast Quarter of Section 31, Township 17 South, Range 3 West of the Willamette Meridian, in Eugene, Lane County, Oregon, said strip being more particularly described as follows:

Beginning at the Northeast corner of Lot 2, Block A, MULLIGAN'S ADDITION EAST, as depicted on the PLAN OF EUGENE CITY, as platted and recorded in Volume A, Page 122, Lane County Oregon Plat Records, said point also being on the South margin of East 8th Avenue (Eighth Street), 33.00 feet from the centerline thereof; thence along said South margin North 89°49'16" East, 14.00 feet to the Northwest corner of Lot 1, Block A of said plat; thence leaving said South margin run along the West lines of Lots 1, 4, 5 and 8, Block A of said plat, South 00°01'07" East, 336.22 feet to the North margin of East Broadway (East 9th Avenue / Ninth Street), 33.00 feet from the centerline thereof; thence along said North margin South 89°48'54" West, 14.00 feet to the Southeast corner of Lot 7, Block A of said plat; thence leaving said North margin run along the East lines of Lots 7 and 6, Block A of said plat, North 00°01'07" West, 161.11 feet to the Northeast corner of said Lot 6; thence continue North 00°01'07" West, 14.00 feet to the Southeast corner of Lot 3, Block A of said plat; thence along the East lines of Lots 3 and 2, Block A of said plat, North 00°01'07" West, 161.11 feet to the Point of Beginning, in Eugene, Lane County, Oregon.

The City of Eugene to reserve an easement for public utilities over the above described 14.00 foot wide strip of land.

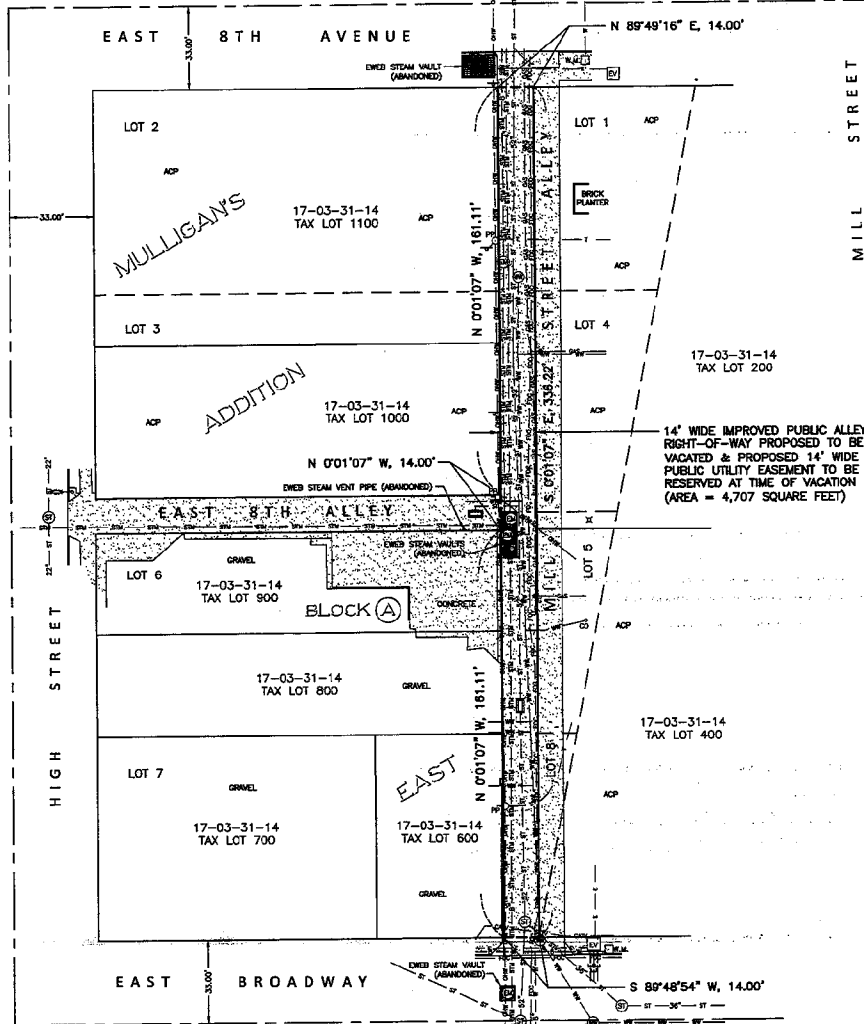
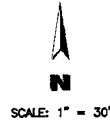
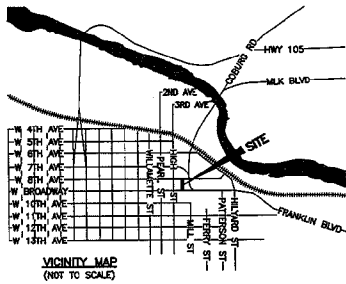
Containing 4,707 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWAL DATE: /2-3/ • 2015



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Michael R. Dahrens
OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052
RENEWALS: 12-31-2015

LEGEND	
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[Symbol]	SEWER STEAM MANHOLE (ABANDONED PER ENDS)
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UTILITY NOTE:
UTILITY LOCATIONS SHOWN HEREIN ARE BASED ON A COMBINATION OF FIELD SURVEY OF OBSERVABLE ABOVE GROUND EVIDENCE, UTILITY COMPANY LOCATION MAPS, UTILITY LOCATION PAINT AND CITY OF EUGENE DATA, AND ARE SUBJECT TO VERIFICATION.

BOUNDARY NOTE:
THIS MAP AND THE DATA HEREON DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. INTERIOR TAX LOT LINES SHOWN HEREON ARE APPROXIMATE.

SURVEY FOR:
G GROUP, LLC
PROPOSED MILL ALLEY
PUBLIC RIGHT-OF-WAY VACATION
BLOCK A, MULLIGAN'S ADDITION EAST
SE 1/4 NE 1/4, SEC. 31, T17S, R3W, W.M.
EUGENE, LANE COUNTY, OREGON
1/28/14 SSW JOB NO. 13-7134

SSW ENGINEERS
CIVIL - STRUCTURAL - BUILDING DESIGN
SURVEYING - LAND USE PLANNING
2350 Oakmont Way, Suite 105
Eugene, Oregon 97401
(541) 485-8383
FAX (541) 485-8384
www.sswengineers.com

LEGAL DESCRIPTION

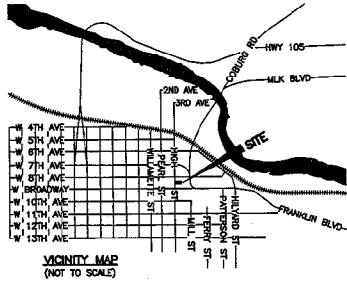
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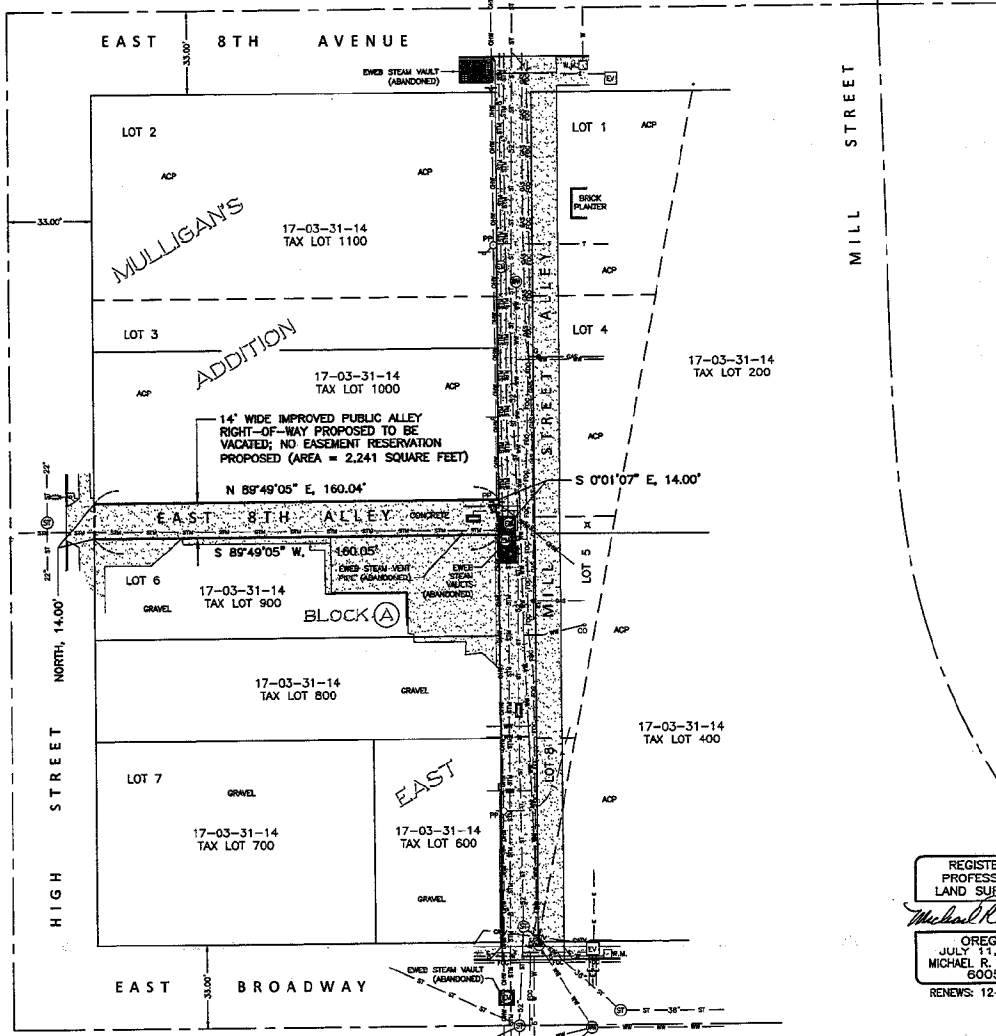
Beginning at the Northwest corner of Lot 6, Block A, MULLIGAN'S ADDITION EAST, as depicted on the PLAN OF EUGENE CITY, as platted and recorded in Volume A, Page 122, Lane County Oregon Plat Records, said point also being on the East margin of High Street, 33.00 feet from the centerline thereof; thence along said East margin North, 14.00 feet to the Southwest corner of Lot 3, Block A of said plat; thence leaving said East margin run along the South line of said Lot 3 North $89^{\circ}49'05''$ East, 160.04 feet to the Southeast corner of said Lot 3; thence South $00^{\circ}01'07''$ East, 14.00 feet to the Northeast corner of said Lot 6; thence along the North line of said Lot 6 South $89^{\circ}49'05''$ West, 160.05 feet to the Point of Beginning, in Eugene, Lane County, Oregon.

Containing 2,241 square feet, more or less.





SCALE: 1" = 30'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052
RENEWS: 12-31-2015

LEGEND	
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[Symbol]	STORM LINE
[Symbol]	TELEPHONE LINE
[Symbol]	STEAM LINE (ABANDONED PER DMCD)
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[Symbol]	EXISTING CURBSIDE

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UTILITY LOCATIONS SHOWN HEREON ARE BASED ON A COMBINATION OF FIELD SURVEY OF OBSERVABLE ABOVE GROUND EVIDENCE, UTILITY COMPANY LOCATION MAPS, UTILITY LOCATION PRINT AND CITY OF EUGENE DATA AND ARE SUBJECT TO VERIFICATION.

BOUNDARY NOTE:
THIS MAP AND THE DATA HEREON DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. INTERIOR TAX LOT LINES SHOWN HEREON ARE APPROXIMATE.

SURVEY FOR:
G GROUP, LLC
PROPOSED EAST 8TH ALLEY
PUBLIC RIGHT-OF-WAY VACATION
BLOCK A, MULLIGAN'S ADDITION EAST
SE 1/4 NE 1/4, SEC. 31, T17S, R3W, W.M.
EUGENE, LANE COUNTY, OREGON
1/28/14 SSW JOB NO. 13-7134

SSW ENGINEERS
CITY • SUBURBAN • RURAL DESIGN
SURVEYING • LAND USE PLANNING

2380 Oakmont Way, Suite 105
Eugene, Oregon 97401
(541) 485-8383
FAX (541) 485-8384
www.sswengineers.com

Exhibit E: Findings

Background:

Broadway & Pearl Associates, LLC (Applicant) requests the vacation of two improved public rights-of-way: the portion of Mill Alley that is 14 feet wide and 334 feet in length, between East 8th Avenue and East Broadway; and the portion of East 8th Alley that is 14 feet wide and 160 feet long, between High Street and Mill Alley. The total area of request consists of 6,916 square feet of public right-of-way. The applicant owns all of the properties abutting the alleys proposed to be vacated.

The Applicant's properties are currently developed with surface parking lots and two commercial buildings; one a restaurant use and the other a former bank use. The applicant submitted signed consent from at least two-thirds of owners in the affected area, as required by Eugene Code (EC) 9.8710(6) and Oregon Revised Statutes (ORS) 271.080(2).

The applicant's representative, Kristen Taylor, TBG Architects and Planners, indicates that the requested vacation is necessary to redevelop the block located between High Street and Mill Street, and East Broadway and East 8th Avenue, to accommodate a new vibrant commercial building and the associated site infrastructure, such as parking, landscaping and pedestrian walkways. The applicant provided a conceptual site plan to illustrate how the entire block might be redeveloped. The concept calls for the replacement of the two existing buildings and disjointed surface parking lots with a new comprehensive commercial development on the entire block, which is the eastern gateway to Eugene's downtown.

When rights-of-way are vacated, ORS requires ownership of the underlying land to revert back to the adjacent lands from which they were originally dedicated. If the vacation is approved, the alleys will revert from public to private ownership by Broadway & Pearl Associates, LLC, and the land would be added to the tax rolls. EC 9.8710(5) requires the applicant to pay to the City a special assessment equal to the assessed value of the real property and any costs incurred by the city in the construction of public improvements. Payment of the special assessment will be paid in a combination of cash and fair-market value of a 5-foot wide easement abutting East 8th Avenue between Mill Alley and Mill Street.

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 Eugene Code (EC) 9.8700-9.8725 and Oregon Revised Statutes (ORS) 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 vacation 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.

The required public notice and hearing have occurred on the vacation request in accordance with applicable statutory and local code requirements. Consent for the vacation request from abutting and affected owners, and payment of a special assessment for the area of vacated right-of-way, has been provided by the applicant, as required by statutes and local code.

Vacation Findings

The following findings demonstrate that vacation of the portion of Mill Alley, located between East 8th Avenue and East Broadway, and the portion of East 8th Alley, located between High Street and Mill Alley, is in the public interest. This determination is based on the conclusion that vacation of these alleys will provide efficient use of land and will not negatively impact the transportation system, surrounding neighborhoods or emergency access. Additionally, future development opportunities of the adjacent lands can be enhanced through the consolidation of the site. As a result, vacation of the requested alleys will be in the public interest. Detailed findings to support these conclusions are provided below.

The vacation request was referred to affected city departments and public utility service providers. Public Works staff confirmed that the abutting streets provide all access and traffic circulation needs in the vicinity, without relying on the subject alleys. There is a need, however, for a wider sidewalk along East 8th Avenue, which the City has identified as a gateway that would bridge the heart of Downtown with the Federal Courthouse district and recently re-designated EWEB riverfront properties. The property owner will dedicate a 5-foot wide easement along the right-of-way abutting East 8th Avenue between Mill Alley and Mill Street to complete the wide sidewalk for that stretch of East 8th Avenue. Therefore, the ordinance is conditioned to require this dedication prior to vacation of the alleys.

Referral comments from other affected City Departments and utility providers 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. Referral comments and letters of concurrence from utility providers confirm that there are no utilities within East 8th Alley and that retaining a public utility easement (PUE) over Mill Alley would provide sufficient coverage for the underground utilities. The ordinance provides for the retention of this PUE.

The applicant's survey drawings delineate the alleys to be vacated, existing utilities, and the proposed reservation of a 14-foot wide public utility easement (PUE) over Mill Alley. The applicant proposes to reserve a public utility easement over the entire segment of Mill Alley, which contains the following underground utilities: Northwest Natural gas lines; CenturyLink cable; Comcast fiber optic lines and vault; and City wastewater and stormwater mains. Eugene Water and Electric Board (EWEB) staff confirms that the steam lines within the alleys have been abandoned and that they have no related issues or concerns. The applicant submitted concurrences from the affected utility providers, all of whom confirm that the applicant's proposed 14-foot-wide public utility easement in the location of the existing Mill Alley is all that is required for their services.

There are no existing utilities in the portion of East 8th Alley to be vacated. The applicant's conceptual development plan shows a building over East 8th Alley, which would provide greater building presence abutting High Street. The applicant notes that pedestrian and bicycle connectivity and outdoor seating areas on High Street and/or East Broadway will be important features of any development on the block to take advantage of and enhance downtown street level activity. The applicant's properties will continue to take primary access from the abutting East Broadway, High Street, and East 8th Avenue. With the retention of the 14-foot public utility easement over Mill Alley, any larger buildings will need to be oriented in a north-south direction. As such, vacation of the East 8th Alley is critical in order to establish a reasonable buildable area that can facilitate redevelopment of this site.

The applicant proposes to maintain the vehicular connectivity between East 8th Avenue and East Broadway, which is shown as a private drive aisle on the conceptual development plan. Given the retention of a public utility easement over this same area, this portion of the site will need to remain free of structures and therefore lends itself well for access and circulation. Under existing conditions, pedestrians share the paved alley with vehicles, since the City's design standards do not include sidewalks on alleys. The alley is predominantly used to access the adjacent surface parking lots. The applicant's redevelopment concept shows how vehicle access and on-site circulation can be accomplished without the alleys. Referral comments from Public Works staff confirm that the alleys do not provide significant public transportation benefit, given the surrounding street network that provides ample connectivity for vehicles, bikes and pedestrians.

The applicant has also agreed to dedicate a five-foot wide perpetual easement and right-of-way abutting East 8th Avenue to enable an enhanced pedestrian system.

Conclusion:

The applicant's requested right-of-way vacation is in the public interest, based on the above facts and the terms of the ordinance, to redevelop the two existing buildings and disjointed surface parking lots with a new comprehensive commercial development on the entire block, which is the eastern gateway to Eugene's downtown.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: May 8, 2014
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 item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

BACKGROUND

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

None.

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



Public Forum

Meeting Date: May 12, 2014
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2
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: May 12, 2014
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3A
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 April 21, 2014, Public Hearing, and April 23, 2014, Work Session.

ATTACHMENTS

- A. April 21, 2014, Public Hearing
- B. April 23, 2014, 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
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**April 21, 2014
7:30 p.m.**

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

Mayor Piercy opened the April 21, 2014, City Council public hearing.

- 1. PUBLIC HEARING: An Ordinance Concerning Employment and Industrial Zones; Amending Sections 2.1086, 3.005, 4.330, 6.755, 7.410, 9.0500, 9.1030, 9.1045, 9.1240, 9.2150, 9.2160, 9.2161, 9.2170, 9.2180, 9.2400, 9.2410, 9.2430, 9.2450, 9.2451, 9.2460, 9.2461, 9.2470, 9.2530, 9.2682, 9.3050, 9.3305, 9.3400, 9.3900, 9.3910, 9.3915, 9.4290, 9.4640, 9.5750, 9.5800, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6640, 9.6645, 9.6660, 9.6665, 9.6675, 9.6680, 9.6703, 9.6709, 9.6725, 9.6730, 9.6745, 9.6770, 9.6794, 9.8010, 9.8030, 9.8215, 9.8515, 9.8575, 9.8865 of the Eugene Code, 1971; Adding Sections 9.2405 and 9.2463 to that Code; Repealing Section 9.2130 of that Code; Repealing Resolution No. 3862 and Resolution No. 3885; and Providing for an Effective Date (City Files CA 13-4, Z 3-3)**

1. Brent McLean, supported the proposed code revisions and thanked staff for their work.
2. Dave Hauser, spoke on behalf of the Chamber of Commerce in support of the code change.
3. Ron Schmaedick, said the proposed zone change will encourage economic growth in Eugene.
4. William Randall, conveyed the unanimous support of the Planning Commission for this change.
5. Carol Schirmer, expressed support for the proposed code changes, noting their positive effects.
6. Kristin Taylor, conveyed Guard Publishing's support for the proposed code amendments.
7. Tenille Woodward, cited several reasons why the proposed zone changes are needed.
8. Clayton Walker, said zone changes will allow much more diversity in development plans.
9. Chief Swiftfoot Tribal Alliance, said zone changes will do nothing for the homeless.

- 2. PUBLIC HEARING: An Ordinance Vacating a Portion of Mill Alley, Located between East 8th Avenue and East Broadway, and a Portion of East 8th Alley, Located between High Street and Mill Alley (VRI 14-1)**

Mayor Piercy and Councilor Clark disclosed that they had potential ex parte contacts regarding the issue.

In support:

1. Kristin Taylor, spoke as a representative of the applicant in support of the ordinance.
2. David Davinny, requested council approval of the proposed alley vacation.
3. Sarah Bennett, said proposed zone change will benefit downtown business development.
4. Dave Hauser, said proposal offers unique opportunity to revitalize downtown.

Item 3.A.

In opposition:

5. Mark Robinowitz, said the proposal does meet the public interest criteria.
6. Gavin McComas, said proposed development will hurt small business.
7. Kyra Buckley, expressed concern about locating a Whole Foods store in Eugene.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Brown, moved to keep the record open for two weeks. **PASSED 5:3**, councilors Evans, Pryor and Poling opposed.

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

ATTACHMENT B**MINUTES**

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

**April 23, 2014
12:00 p.m.**

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

Mayor Piercy called the April 23, 2014, City Council work session to order.

A. WORK SESSION: Re-designation of Striker Fields Park

Parks and Open Space Planning Manager Neil Björklund introduced the topic and provided background information.

Council discussion

- The need for a community park continues to grow as more housing is built in the neighborhood.
- Folding the re-designation into the PROS Plan update is more resource-efficient and responsive to broader community goals.
- It is important to recognize and take advantage of those willing to invest money and sweat equity into park improvements and amenities.
- Residents want reassurance that land won't be developed in a way that's incompatible with the neighborhood's wishes.

MOTION: Councilor Pryor, seconded by Councilor Syrett, moved to direct staff to incorporate re-designation of Striker Fields Park into the update of the PROS Comprehensive Plan, beginning in 2015, and to include a public hearing before the City Council.

SUBSTITUTE MOTION and VOTE: Councilor Clark, seconded by Councilor Poling, moved to substitute to direct staff to initiate a public process, including a public hearing before the council to consider re-designation of Striker Fields Park in 2014. **FAILED 4:5**, councilors Syrett, Taylor, Brown and Zelenka opposed; Mayor Piercy broke tied in opposition.

MOTION TO SUBSTITUTE and VOTE: Council Syrett, seconded by Councilor Clark, moved to direct staff to incorporate re-designation of Striker Fields Park into the update of the PROS Comprehensive Plan, beginning in 2015, and to include a public hearing before the City Council and to delay the implementation of the development of Striker Field as a community park with sports field infrastructure until the completion of the PROS Comprehensive Plan update, recognizing the neighborhood association has requested the park to be re-designated as a neighborhood park. In addition, staff is encouraged to work with the neighborhood and others wishing to provide temporary amenities to be maintained by park volunteers. **PASSED 8:0**

VOTE ON MAIN MOTION AS SUBSTITUTED: PASSED 8:0.

B. WORK SESSION: On-site Management for Multi-Unit Rental Housing

Community Programs Analyst Michael Wisth gave a brief PowerPoint introduction, outlining current management strategies and possible next steps.

Council discussion

- There is interest in looking at geographic constraints and size limits when determining scope of potential management program.
- The issue is not limited to student housing and student behavior; consider all facility management aspects.
- A copy of the University of Oregon's updated student code of conduct was requested.

The work session adjourned at 1:29 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: May 12, 2014
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3B
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

May 7, 2014

MAY 12	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Executive Session – pursuant to ORS 192.660(2)(e)		
B. Action: Ordinance on Right-of-Way Vacation for Mill Alley and East 8th Alley (VRI 14-1)		PDD/Taylor
C. Action: Council Approval of Budget Committee Recommendation on Potential Library Levy Committee		
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Ceremonial Matters (UO Track Team)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Ratification of MWMC FY 2014-15 Regional Wastewater Program Budget and CIP		PW/Huberd
4. WS: Fireworks		Fire EPD/Groves, Fellman
MAY 14	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS and Possible Action: Ordinance Concerning Employment and Industrial Zones		45 mins – PDD/Harding
B. WS and Possible Action: Ordinance Concerning Single Family Code Amendments		45 mins – PDD/Hansen
MAY 19	MONDAY	
7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH: Annual Hazardous Substance User Fee Ordinance		Fire/Eppli
2. PH: South Willamette Street Improvement Plan		PW/Henry
MAY 21	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Urban Forestry Policy/Sidewalks		45 mins – PW/Snyder
B. WS: Initiate Process to Amend Metro Plan Diagram for 955 Coburg Rd.		45 mins – PDD/Nystrom
MAY 27	TUESDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Fossil Fuel Divestment Initiative		45 mins – CS/Miller
B. WS: Climate Recovery		45 mins – CS/McRae
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Ceremonial Matters (Willamette High School, Kids to Parks Essay Contest Winners)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
4. PH and Action: FY15 Budget		CS/Silvers
5. PH: Supplemental Budget		CS/Silvers
6. PH: Ordinance Concerning Prohibited Acts in the Downtown Activity Zone		EPD/Kerns
7. Action: Annual Hazardous Substance User Fee Ordinance		Fire/Eppli
8. Action: South Willamette Street Improvement Plan		PW/Henry

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

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 7, 2014

MAY 28	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Tourism Update		45 mins – LRCS/Grube, PW/Doll
B. WS: Envision Eugene – Residential Re-designation		45 mins – PDD/O'Donnell

JUNE 3	TUESDAY	** MEETING ADDED **
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7 p.m.	Joint Public Hearing with Lane County	
Harris Hall	Expected Absences: Poling	
A. PH: Envision Eugene - Residential Re-designations		PDD/O'Donnell

JUNE 9	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences: Syrett	
A. WS: MUPTC Program Revisions		90 mins – PDD/Braud

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences: Syrett	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. Action: Appointments to Boards, Commissions and Committees		CS/Forrest
4. WS: Glass Recycling		PDD/Nelson

JUNE 11	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences: Syrett	
A. WS: Library Levy Committee Report		90 mins – LRCS/Grube

JUNE 16	MONDAY
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7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH: Ordinance Concerning Deer Fencing (CA 14-1)		PDD/Kappa
2. PH: An Ordinance to Re-designate and Rezone "The Willamette Stationers' Site"		PDD/Taylor

JUNE 18	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Sick Leave Ordinance		90 mins – CS/Dedrick

JUNE 23	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Sick Leave Ordinance		90 mins – CS/Dedrick

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. Public Hearing and Action: FY14 Second Supplemental Budget		CS/Silvers

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

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 7, 2014

- | | |
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| 4. Action: Ordinance Concerning Deer Fencing (CA 14-1) | PDD/Kappa |
| 5. Action: An Ordinance to Re-designate and Rezone "The Willamette Stationers' Site" | PDD/Taylor |

JUNE 25	WEDNESDAY
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| Noon | Council Work Session | |
| Harris Hall | Expected Absences: | |
| A. WS: Police Auditor Performance Evaluation | | 45 mins – CS/Smith |
| B. WS: Sick Leave Ordinance (<i>tentative</i>) | | 45 mins – CS/Dedrick |

JULY 9	WEDNESDAY
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| 12:00 p.m. | Council Work Session | |
| Harris Hall | Expected Absences: | |
| A. WS: Beltline Highway Facility Plan | | 45 mins – PW/Henry |
| B. WS: Envision Eugene – Residential Re-Designation | | 45 mins – PDD/O'Donnell |

JULY 14	MONDAY
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|--|-----------------------------|------------------------|
| 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: Proposed code changes related to Eugene skateboard and bicycle laws | | 45 mins – PW/Shoemaker |
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- | | | |
|--|---------------------------|---------------|
| 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 – Residential Re-Designations | | PDD/O'Donnell |

JULY 16	WEDNESDAY
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| Noon | Council Work Session | |
| Harris Hall | Expected Absences: | |
| A. WS: City Manager Performance Evaluation | | 45 mins – CS/Smith |

JULY 21	MONDAY
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| 7:30 p.m. | Council Public Hearing | |
| Harris Hall | Expected Absences: | |
| 1. PH: Ordinance Adopting Changes to the Public Contracting Code | | CS/Silvers |
| 2. PH: Sick Leave Ordinance (<i>tentative</i>) | | CS/Dedrick |
| 3. PH: Proposed code changes related to Eugene skateboard and bicycle laws | | PW/Shoemaker |

JULY 23	WEDNESDAY
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|--------------------------------|----------------------------------|--------------|
| Noon | Council Work Session | |
| Harris Hall | Expected Absences: Taylor | |
| A. WS: Joint Meeting with EWEB | | 90 mins - CS |

JULY 28	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: Sick Leave Ordinance | | 60 mins – CS/Dedrick |

**EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA
May 7, 2014**

**7:30 p.m.
Harris Hall**

**Council Meeting
Expected Absences:**

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Public Forum 2. Consent Calendar <ol style="list-style-type: none"> a. Approval of City Council Minutes b. Approval of Tentative Working Agenda 3. Action: Ordinance Adopting Changes to the Public Contracting Code 4. Action: Sick Leave Ordinance (<i>tentative</i>) 5. Action: Proposed code changes related to Eugene skateboard and bicycle laws | <p>CS/Forrest
CS/Forrest
CS/Silvers
CS/Dedrick
PW/Shoemaker</p> |
|--|---|

JULY 30	WEDNESDAY
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<p>Noon Harris Hall</p> <p>A. WS: B. WS:</p>	<p>Council Work Session Expected Absences:</p>
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COUNCIL BREAK: July 31, 2014 – September 8, 2014
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ON THE RADAR

Work Session Polls/Council Requests	Status
1. Downtown smoking ban (Evans)	Approved, date TBD

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Ratification of the Metropolitan Wastewater Management Commission (MWMC) FY15 Regional Wastewater Program Budget and Capital Improvements Program

Meeting Date: May 12, 2014
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: 3C
 Staff Contact: John Huberd
 Contact Telephone Number: 541-682-8603

ISSUE STATEMENT

This agenda item relates to the ratification of the FY15 budget for the regional wastewater program serving the Eugene/Springfield metro area, as established under the 1977 Intergovernmental Agreement (IGA) between the City of Eugene, the City of Springfield, and Lane County. The regional wastewater program is managed by the Metropolitan Wastewater Management Commission (MWMC) pursuant to the provisions of the IGA. The regional Wastewater budget provides funds for all regional operations, maintenance, administration, and capital project management and implementation for regional facilities. These include the Eugene/Springfield Water Pollution Control Facility, the Biosolids Management Facility, the Biocycle Farm, the Reclaimed Water Facility, and regional wastewater pump stations.

BACKGROUND

The purpose of the regional wastewater program is to protect public health and safety and the environment by providing high quality wastewater management services to the Eugene/Springfield metropolitan area. The MWMC and the regional partners are committed to providing these services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs while meeting customer service expectations.

The commission and the regional wastewater program staffs have worked together to identify the following key outcomes:

1. High environmental standards.
2. Fiscal management that is effective and efficient.
3. A successful intergovernmental partnership.
4. Maximum reliability and useful life of regional assets and infrastructure.
5. Public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives for maintaining water quality and a sustainable environment.

These key outcomes and goals are in direct alignment with the City of Eugene City Council goals.

Every year MWMC develops a budget that covers resource needs of the operations, maintenance, and capital improvement activities for the regional wastewater program. These activities are divided between Eugene and Springfield. The regional budget combines the portions of the City of Eugene and City of Springfield budgets that are dedicated to the regional wastewater program. The commission conducted a public hearing on the proposed draft budget for FY15 and subsequently adopted the budget on April 11, 2014. The commission's adopted budget is attached for council consideration (see Attachment A). The budget reflects the continuing focus on design and construction of capital improvements in the approved 2004 Facilities Plan, needed to ensure the operation of the Regional Wastewater Facilities meets increasing environmental regulations and the collection and treatment capacity will be available to provide for growth in the service area. The adopted budget includes the financial resources necessary to support the regional program. The personnel, operations and maintenance, and capital outlay budget increases by two percent from the FY14 budget.

During the April 11 meeting the commission approved an overall 3.5 percent increase in the regional wastewater user rates to generate revenue for the proposed budget and, pursuant to the recommendations of the MWMC financial advisor, to address needs for future Capital Improvement Program (CIP) financing consistent with the Commission's Financial Plan policies and net revenue objectives. The revenues generated by the user rate increase are consistent with the MWMC's approved financial plan to maintain an unenhanced credit rating of A and adequately fund operations, administration, capital financing, debt service, and reserves.

RELATED CITY POLICIES

This action item is related to the City Council goals of "Sustainable Development", "Effective, Accountable, Municipal Government" and "Fair, Stable and Adequate Financial Resources".

COUNCIL OPTIONS

1. Approve motion to ratify the FY15 MWMC budget.
2. Return the FY15 MWMC Regional Wastewater Program Budget and Capital Improvements Program to MWMC with specific requests for modification and reconsideration.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the council ratify the proposed FY15 MWMC Budget and Capital Improvements Program.

SUGGESTED MOTION

Move to ratify the FY15 MWMC Budget.

ATTACHMENTS

- A. Transmittal letter and MWMC FY15 Proposed Regional Wastewater Program Budget and

Capital Improvements Program

FOR MORE INFORMATION

Staff Contact: John Huberd, Finance and Administration Manager, Wastewater Division
Telephone: 541-682-8603
Staff E-Mail: john.c.huberd@ci.eugene.or.us

*PARTNERS IN
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Metropolitan Wastewater Management Commission



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*MWMC
Commission*

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Lane County Commissioner
MWMC President

Hilary Loud
Eugene Citizen
MWMC Vice-President

Marilee Woodrow
Springfield City Councilor

George Brown
Eugene City Councilor

Bill Inge
Lane County Citizen

Doug Keeler
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Walt Meyer
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City of Eugene
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Eugene, Oregon 97404
(541) 682-8600
FAX (541) 682-8601

April 28, 2014

Mr. Jon Ruiz, City Manager
City of Eugene
777 Pearl Street
Eugene, OR 97401

Subject: Metropolitan Wastewater Management Commission (MWMC)
2014-15 Regional Wastewater Program (RWP) Budget and
Capital Improvements Program (CIP)

Dear Mr. Ruiz:

On April 11, 2014 the MWMC held a public hearing on the fiscal year (FY) 2014-15 Regional Wastewater Program (RWP) Budget and Capital Improvements Program (CIP). At this meeting, the FY 2014-15 RWP Budget and CIP were approved. The RWP Budget funds operating and capital project requirements, and maintains targeted contributions to reserves.

Consistent with the Intergovernmental Agreement, the RWP Budget and CIP need to be ratified by the governing bodies of Eugene, Springfield and Lane County prior to final adoption by MWMC. Please forward the enclosed budget and CIP documents to the Eugene City Council for their consideration on May 12, 2014. If I can be of any additional assistance, please contact me at 726-3694.

Thank you for your consideration and assistance in this matter.

Sincerely,

Matt Stouder
MWMC General Manager

Preliminary

REGIONAL WASTEWATER PROGRAM BUDGET AND CAPITAL IMPROVEMENTS PROGRAM Fiscal Year 2014-15



Metropolitan Wastewater Management Commission



partners in wastewater management



REGIONAL WASTEWATER PROGRAM
BUDGET
and
CAPITAL IMPROVEMENTS PROGRAM
Fiscal Year 2014-15

The Metropolitan Wastewater Management Commission adopted its Operating Budget and Capital Improvements Program (CIP) for FY 14-15 April 11, 2014. The Budget and CIP are currently scheduled for consideration and ratification by the Springfield City Council on May 5, 2014, the Eugene City Council on May 12, 2014, and the Lane County Board of Commissioners on May 20, 2014. The Commission is scheduled for final ratification of the budget and CIP on June 13, 2014.

COMMISSION MEMBERS:

Faye Stewart, President (Lane County)
Hilary Loud, Vice President (Eugene)
George Brown (Eugene)
Bill Inge (Lane County)
Doug Keeler (Springfield)
Walt Meyer (Eugene)
Marilee Woodrow (Springfield)

STAFF:

Leonard J. Goodwin, MWMC Executive Officer/Springfield Development and Public Works Director
Matthew Stouder, MWMC General Manager/Springfield Environmental Services Manager
Michelle Cahill, Eugene Wastewater Division Director
Robert Duey, MWMC Finance Officer/Springfield Finance Director

METROPOLITAN WASTEWATER MANAGEMENT COMMISSION

***Preliminary* FY 14-15 BUDGET AND CAPITAL IMPROVEMENTS PROGRAM
for the**

REGIONAL WASTEWATER PROGRAM

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REGIONAL WASTEWATER PROGRAM BUDGET

BUDGET MESSAGE

BUDGET MESSAGE**To the Metropolitan Wastewater Management Commission:**

I am pleased to present the Metropolitan Wastewater Management Commission's (MWMC) budget for fiscal year (FY) 2014-15. This budget funds operations, administration, and capital projects planned for the Regional Wastewater Program (RWP). The MWMC administration and Capital Improvements Program (CIP) components of the budget are reflected in the City of Springfield's RWP budget. The operations, maintenance, equipment replacement, and major rehabilitation components are reflected in the City of Eugene's RWP budget. The Cities' Industrial Pretreatment Programs, managed locally in compliance with the MWMC Model Ordinance, also are included in the RWP budget.

This year's budget reflects a continued focus on design and construction of capital improvements planned to ensure that operation of the Regional Wastewater Facilities meets environmental regulations, and that adequate capacity will be provided to meet the needs of a growing service area. The FY 14-15 capital budget and FY 14-15 – FY 18-19 capital improvements work plan, which are included in this budget document, are derived from the 2004 MWMC Facilities Plan. The budgeted amount for FY 14-15 Facilities Plan capital improvement projects is \$13,266,247; \$5,596,247 is carryover from unfinished projects budgeted in FY 13-14, and \$7,670,000, is new or rephased funding programmed in FY 14-15. The FY 14-15 capital budget also includes Equipment Replacement, and Major Rehabilitation capital projects, budgeted at \$439,400 and \$1,234,000 respectively. The capital budget for FY 14-15 is \$14,939,647. Approximately \$6 million of the total capital budget will not be spent in FY 14-15, but is included to enable MWMC to commit to contracts that will occur in FY 14-15. Unspent funds will be carried forward to the FY 15-16 budget as appropriate. In order to fund the actual cash flow requirements of the FY 14-15 CIP, the Commission will use State Revolving Fund (SRF) loans as well as strategic draw downs of capital reserves.

The FY 14-15 RWP Operating Budget for Personnel Services, Materials and Services and Capital Outlay expense is \$16,682,647. Consistent with the Commission's Financial Plan and policies, the FY 14-15 budget maintains and uses several reserves, which are fully described in this budget document. Finally, the FY 14-15 budget includes Debt Service payments totaling \$9,163,982 as scheduled for repayment of \$47.3 million of revenue bonds issued in November 2006, with an additional bond issuance of \$50.7 million in November 2008, and \$20.8 million in SRF loans to fund the Facilities Plan capital improvements.

Revenue sources necessary to fund Operations, Capital programs, Debt Service requirements and Reserves include user charges, System Development Charges (SDCs), interest earnings and a small amount of miscellaneous revenues. For FY 14-15 user fee revenues (including septage service and SDC Compliance Charge) are projected at \$29,372,000. This level of revenue is projected based on a 3.5% increase in regional wastewater user fees, as recommended by the MWMC financial advisor in order to meet the Commission's Financial Plan policies and net revenue objectives. Projected SDC revenues are estimated at \$830,000.

In summary, the projected FY 14-15 budget funds operations and administration sufficiently to maintain existing levels of service, and to meet the environmental performance and other legal obligations of the Commission. It funds Capital Programs at a level necessary to implement the

2004 Facilities Plan objectives for compliance with the National Pollutant Discharge Elimination System (NPDES) permit issued to the MWMC and the two Cities. Finally, this budget implements the Commission’s adopted Financial Plan policies regarding reserves, asset management, and capital financing.

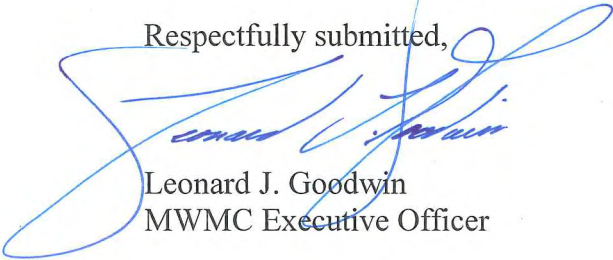
REGIONAL WASTEWATER PROGRAM RESOURCE AND EXPENDITURE SUMMARY			
	ADOPTED BUDGET 2013-14	AMENDED BUDGET 2013-14	ADOPTED BUDGET 2014-15
RESOURCES			
Beginning Cash	\$93,172,564	\$96,833,702	\$98,084,436
User Fees	28,272,000	28,272,000	29,372,000
Internal Transfers	14,228,946	14,548,946	15,224,591
Miscellaneous	1,713,400	1,882,065	1,570,300
System Development Charge	652,000	652,000	830,000
Revenue Bond/SRF Proceeds	317,500	317,500	175,000 *
Interest	245,000	245,000	359,300
	\$138,601,410	\$142,751,213	\$145,615,627
EXPENDITURES			
Reserves	\$84,453,188	\$85,757,605	\$89,604,760
CIP	14,496,514	16,982,524	14,939,647 **
Internal Transfers	14,228,946	14,548,946	15,224,591 ***
Operations	12,716,031	12,396,031	12,771,358
Debt Service	9,069,969	9,377,116	9,163,982
Administration	3,636,762	3,688,991	3,911,289
	\$138,601,410	\$142,751,213	\$145,615,627

* Because all capital projects for which contracts will be awarded in FY 14-15 must be fully budgeted in FY 14-15, the revenue requirements, and in this case, any necessary borrowing, must also be shown in the budget year.

** In governmental budgeting, projects are fully budgeted in the fiscal year in which the contract is awarded. At the end of each fiscal year, unspent funds are carried forward until the project is completed. This provides budget appropriations necessary for MWMC to commit to contracts that span more than one fiscal year. Therefore, although the budgeted amount in the capital budget for FY 14-15 is \$14,939,647, which includes Equipment Replacement, Major Rehab and Major Capital Outlay totaling \$1,673,400, the capital project spending for FY 14-15 is only expected to total about \$6,000,000.

*** Includes equipment replacement contributions totaling \$500,000, a Capital Reserve contribution of \$7,000,000, a \$17,890 transfer from Reimbursement SDC Compliance Charge to Operating, and transfers of \$6,306,701 from operating and \$1,400,000 from Improvement SDC to finance debt service.

Respectfully submitted,



Leonard J. Goodwin
MWMC Executive Officer

REGIONAL WASTEWATER PROGRAM BUDGET

OVERVIEW

REGIONAL WASTEWATER PROGRAM OVERVIEW

The Metropolitan Wastewater Management Commission

The Metropolitan Wastewater Management Commission (MWMC) was formed by Eugene, Springfield, and Lane County through an intergovernmental agreement (IGA) in 1977 to provide wastewater collection and treatment services for the Eugene-Springfield metropolitan area. The seven-member Commission is composed of members appointed by the City Councils of Eugene (3 representatives), Springfield (2 representatives) and the Lane County Board of Commissioners (2 representatives). Since its inception, the Commission, in accordance with the IGA, has been responsible for oversight of the Regional Wastewater Program (RWP) including: construction, maintenance, and operation of the regional sewerage facilities; adoption of financing plans; adoption of budgets, user fees and connection fees; adoption of minimum standards for industrial pretreatment and local sewage collection systems; and recommendations for the expansion of regional facilities to meet future community growth. Staffing and services have been provided in various ways over the 37 years of MWMC's existence. Since 1983, the Commission has contracted with the Cities of Springfield and Eugene for all staffing and services necessary to maintain and support the RWP. Lane County's partnership has involved participation on the Commission and support to the Lane County Metropolitan Wastewater Service District (CSD), which managed the proceeds and repayment of general obligation bonds issued to construct RWP facilities.

Regional Wastewater Program Purpose and Key Outcomes

The purpose of the RWP is to protect public health and safety and the environment by providing high quality wastewater management services to the Eugene-Springfield metropolitan area. The MWMC and the regional partners are committed to providing these services in a manner that will achieve, sustain, and promote balance between community, environmental, and economic needs while meeting customer service expectations. Since the mid-1990s, the Commission and RWP staff have worked together to identify key outcome areas within which to focus annual work plan and budget priorities. The FY 14-15 RWP work plans and budget reflect a focus on the following key outcomes or goals. In carrying out the daily activities of managing the regional wastewater system, we will strive to achieve and maintain:

- 1. High environmental standards;*
- 2. Fiscal management that is effective and efficient;*
- 3. A successful intergovernmental partnership;*
- 4. Maximum reliability and useful life of regional assets and infrastructure;*
- 5. Public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives of maintaining water quality and a sustainable environment.*

The Commission believes that these outcomes, if achieved in the long term, will demonstrate success of the RWP in carrying out its purpose. In order to determine whether we are successful, indicators of performance and targets have been identified for each key outcome. Tracking performance relative to identified targets over time assists in managing the RWP to achieve desired results. The following indicators and performance targets provide an important framework for the development of the FY 14-15 RWP Operating Budget, Capital Improvements Program and associated work plans.

Outcome 1: Achieve and maintain high environmental standards.

Indicators:	Performance:		
	FY 12-13 Actual	FY 13-14 Estimated Actual	FY 14-15 Target
• Amount of wastewater treated to water quality standards	100 %; 11.4 billion gallons	100 %; 13 billion gallons	100 %; 13 billion gallons
• Compliance with environmental performance requirements of all permits	100% compliance	100% compliance	100% compliance
• MWMC target for high quality biosolids	<50% EPA 40CFR Part 503.13 -Table 3 Pollutant Concentrations: Policy Met	<50% EPA 40CFR Part 503.13 -Table 3 Pollutant Concentrations: Policy Met	<50% EPA 40CFR Part 503.13 -Table 3 Pollutant Concentrations: Policy Met
• Volume of reclaimed water beneficially reused (million gallons)	83 million gallons	68 million gallons	70 million gallons
• Performance targets under the Environmental Management System (EMS) are achieved	100% of numeric EMS targets met or on schedule	100% of numeric EMS targets met or on schedule	100% of numeric EMS targets met or on schedule

Outcome 2: Achieve and maintain fiscal management that is effective and efficient.

Indicators:	Performance:		
	FY 12-13 Actual	FY 13-14 Estimated Actual	FY 14-15 Target
• Annual Budget and Rates meet MWMC Financial Plan Policies	Policies Met	Policies Met	Policies Met
• Annual audited financial statements	Clean Audit	Clean Audit	Clean Audit
• Uninsured Bond Rating	AA	AA	A
• Reserves Funded at Target Levels	yes	yes	yes
• Net Revenue to Debt Service coverage ratio	1.97	>1.25	>1.25

Outcome 3: Achieve and maintain a successful intergovernmental partnership.

Indicators:	Performance:		
	FY 12-13 Actual	FY 13-14 Estimated Actual	FY 14-15 Target
<ul style="list-style-type: none"> Industrial Pretreatment Program Implementation in compliance with state/federal requirements; any required corrections completed 	100%	100%	100%
<ul style="list-style-type: none"> Capacity Management Operations and Maintenance (CMOM) Program Development 	Regional CMOM Elements drafted	Adopt Regional CMOM Program Framework	Implement Regional CMOM Program Plan and annual reporting
<ul style="list-style-type: none"> MWMC Facilities Plan projects consistent with CIP budget and schedule 	100% of initiated projects within budget and 57% (4 of 7 projects) on schedule	100% of initiated projects within budget and 75% (6 of 8 projects) on schedule	100% of initiated projects within budget and 50% on schedule

Outcome 4: Maximize reliability and useful life of regional assets and infrastructure.

Indicators:	Performance:		
	FY 12-13 Actual	FY 13-14 Estimated Actual	FY 14-15 Target
<ul style="list-style-type: none"> Preventive maintenance completed on time (best practices benchmark is 90%) 	95%	94%	90%
<ul style="list-style-type: none"> Preventative maintenance to corrective maintenance ratio (benchmark 4:1-6:1) 	5.7:1	5:1	5:1
<ul style="list-style-type: none"> Emergency maintenance required (best practices benchmark is <2% of labor hours) 	1%	1%	<2% of labor hours

Outcome 5: Achieve and maintain public awareness and understanding of MWMC, the regional wastewater system, and MWMC's objectives of maintaining water quality and a sustainable environment.

Indicators:	Performance:		
	FY 12-13 Actual	FY 13-14 Estimated Actual	FY 14-15 Target
• MWMC Annual Report	Produced	Produced	Produce
• Create and distribute e-newsletters	4 Newsletters	4 Newsletters	4 Newsletters
• Organize pollution prevention campaigns	4 Campaigns	4 Campaigns	4 Campaigns
• Provide tours of the Water Pollution Control Facility	23 Tours	> 20 Tours	> 20 Tours
• MWMC website traffic	Increased visitor traffic by 40%	Maintain visitor levels	Maintain visitor levels
• Customer survey	---	In Progress	Complete
• Complete virtual tour video of Water Pollution Control Facility	In Progress	Complete	---
• Interpretive Signs at Wastewater Pollution Control Facility	Completed	---	---
• Deliver presentations on new MWMC topics to community groups	1 Presentation	---	---

Roles and Responsibilities

In order to effectively oversee and manage the RWP, the partner agencies provide all staffing and services to the MWMC. The following sections describe the roles and responsibilities of each of the partner agencies, and how intergovernmental coordination occurs on behalf of the Commission.

City of Eugene

The City of Eugene supports the RWP through representation on the MWMC, provision of operation and maintenance services, and active participation on interagency project teams and committees. Three of the seven MWMC members represent Eugene – two citizens and one City Councilor. Pursuant to the Intergovernmental Agreement (IGA), the Eugene Wastewater Division operates and maintains the Regional Water Pollution Control Facility (WPCF), the Biosolids Management Facility (BMF) and associated residuals and reclaimed water activities, along with regional wastewater pumping stations and transmission sewers. In support of the RWP, the Division also provides technical services for wastewater treatment; management of equipment replacement and infrastructure rehabilitation; biosolids treatment and recycling; industrial source control (in conjunction with Springfield staff); and regional laboratory services for wastewater and water quality analyses. These services are provided under contract with the MWMC through the regional funding of 77.40 full-time equivalent (FTE) employees.

City of Springfield

The City of Springfield supports the RWP through representation on the MWMC, provision of MWMC administration services, and active coordination of and participation on interagency project teams and committees. Two MWMC members represent Springfield – one citizen and one City Councilor. Pursuant to the IGA, the Springfield Development and Public Works Director, and the Environmental Services Manager serve as the MWMC Executive Officer and General Manager, respectively. The Environmental Services Division and Finance Department staff provide ongoing staff support to the Commission and administration of the RWP in the following areas: legal and risk management services; financial management and accounting; coordination and management of public policy; regulatory and permit compliance issues; coordination between the Commission and the governing bodies; long-range capital project planning, design, and construction management; coordination of public information, education, and citizen involvement programs; and coordination and development of regional budgets, rate proposals, and revenue projections. Springfield staff also provides local implementation of the Industrial Pretreatment Program, as well as billing coordination and customer service. These services are provided under contract with the MWMC through the regional funding of 15.01 FTE of Development and Public Works Department staff and 0.88 FTE of Finance Department staff, for a total 15.89 FTE as reflected in the FY 14-15 Budget.

Lane County

The Board of County Commissioners support the RWP through representation on the MWMC, including two MWMC members that represent Lane County – one citizen and one County Commissioner. Lane County's partnership initially included providing support to manage the proceeds and repayment of the RWP general obligation bonds to finance the local share of the RWP facilities construction. These bonds were paid in full in 2002. The County, while not presently providing sewerage, has the authority under its charter to do so. The Urban Growth Boundary includes the two Cities (urban lands) and certain unincorporated areas surrounding the

Cities which lies entirely within the County. Federal funding policy requires sewage treatment and disposal within the Urban Growth Boundary to be provided on a unified, metropolitan basis.

Interagency Coordination

The effectiveness of the MWMC and the RWP depends on extensive coordination, especially between Springfield and Eugene staff, who provide ongoing program support. This coordination occurs in several ways. The Springfield ESD/MWMC General Manager and the Eugene Wastewater Division Director coordinate regularly to ensure adequate communication and consistent implementation of policies and practices as appropriate. The Eugene and Springfield Industrial Pretreatment Program supervisors and staff meet regularly to ensure consistent implementation of the Model Industrial Pretreatment Ordinance. Additionally, interagency project teams provide input on and coordination of ongoing MWMC administration issues and ad hoc project needs.

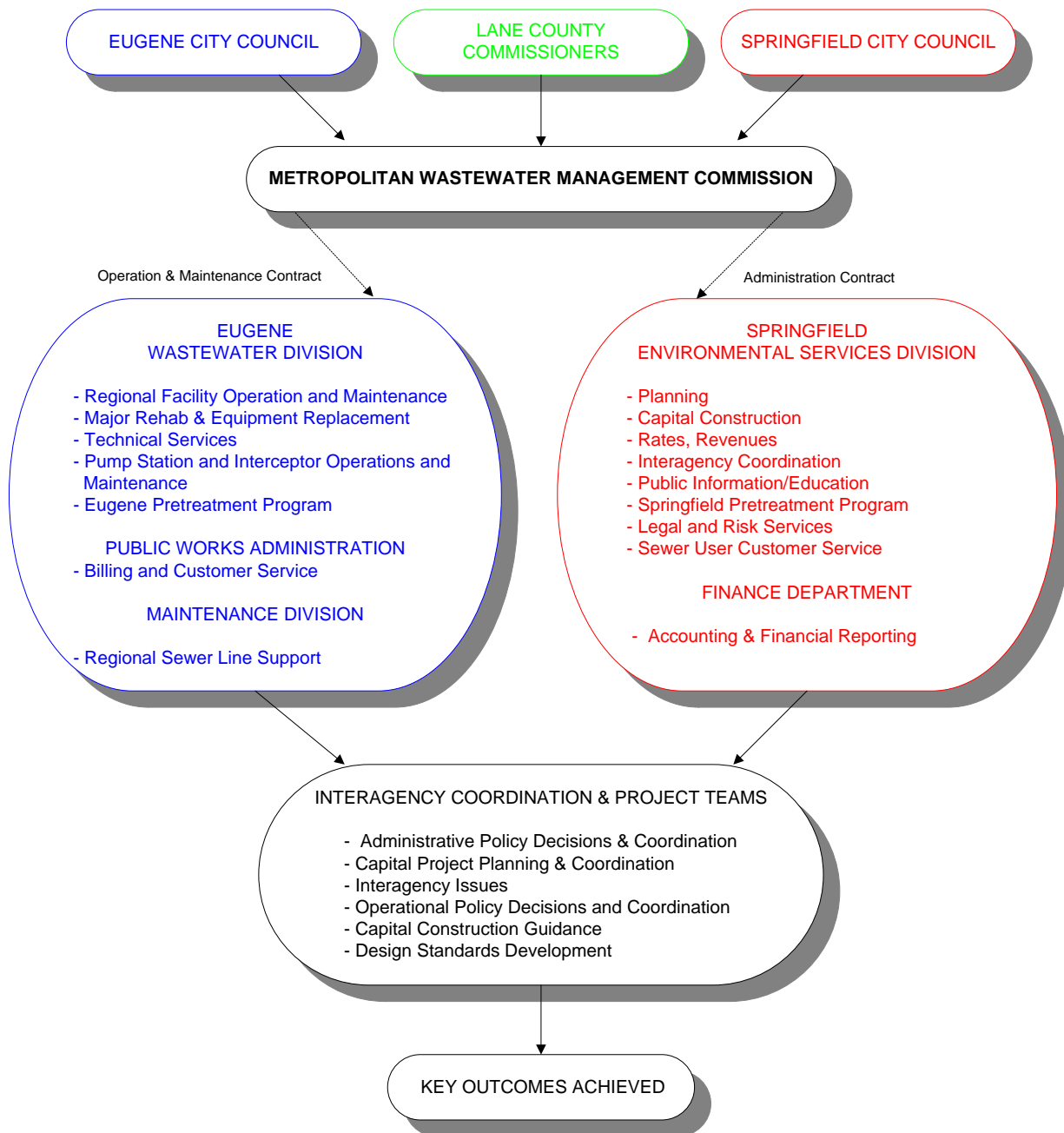
Exhibit 1 on the following page reflects the interagency coordination structure supporting the RWP. Special project teams are typically formed to manage large projects such as design and construction of new facilities. These interagency staff teams are formulated to provide appropriate expertise, operational knowledge, project management, and intergovernmental representation.

Relationship to Eugene and Springfield Local Sewer Programs

The RWP addresses only part of the overall wastewater collection and treatment facilities that serve the Eugene-Springfield metropolitan area. The Cities of Eugene and Springfield both maintain sewer programs that provide for construction and maintenance of local collection systems and pump stations, which discharge to the regional system. Sewer user fees collected by the two Cities include both local and RWP rate components.

EXHIBIT 1

**REGIONAL WASTEWATER PROGRAM
INTERAGENCY COORDINATION STRUCTURE**



REGIONAL WASTEWATER PROGRAM BUDGET

BUDGET AND PROGRAM SUMMARY

**REGIONAL WASTEWATER PROGRAM
FY 14-15 BUDGET**

The MWMC's RWP Operating Budget provides the Commission and governing bodies with an integrated view of the RWP elements. Exhibit 2 provides a summary of the overall Operating Budget. Separate Springfield and Eugene agency budgets and staffing also are presented within this budget document. Major program areas supported by Springfield and Eugene are described in the pages that follow and are summarized in Exhibit 3 on page 12. Finally, Exhibit 4 on page 13 combines revenues, expenditures, and reserves to illustrate how funding for all aspects of the RWP is provided. It should also be noted that the "Amended Budget FY 13-14" column in all budget tables represents the updated FY 13-14 RWP budget as of February 13, 2014, which reconciled actual beginning balances at July 1, 2013, and approved budget transfers and supplemental requests.

EXHIBIT 2

**REGIONAL OPERATING BUDGET SUMMARY:
INCLUDING RESERVE CONTRIBUTIONS**

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE (1) INCR/(DECR)	
Full-Time Equivalent Staffing Level	93.08	93.29	93.29	0.21	0.2%
Personnel Services (2)	\$9,548,513	\$9,501,395	\$9,656,542	\$108,029	1.1%
Materials & Services (2)	6,751,952	6,531,299	6,962,605	210,653	3.1%
Capital Outlay (2, 3)	52,328	52,328	63,500	11,172	21%
Equip Replacement Contr (4)	500,000	500,000	500,000	0	0.0%
Capital Reserve Contr (5)	6,000,000	6,320,000	7,000,000	1,000,000	17%
Working Capital Reserve (6)	900,000	900,000	900,000	0	0%
Rate Stability Reserve Contr (7)	2,000,000	2,000,000	2,000,000	0	0%
Insurance Reserve (8)	100,000	100,000	100,000	0	0%
Operating Reserve (9)	2,131,836	3,117,227	3,017,045	885,209	42%
Debt Service Contr (10)	7,669,969	7,977,116	7,763,982	94,013	1%
Rate Stabilization Reserve Contr (11)	2,000,000	2,000,000	2,000,000	0	0%
SRF Loan Reserve (12)	643,078	643,078	642,866	(212)	NA
Revenue Bond Reserve Contr (13)	4,100,000	4,100,000	4,100,000	0	NA
Budget Summary	\$42,397,676	\$43,742,443	\$44,706,540	\$2,308,864	5.4%

Notes:

1. The Change column and Percent Change column compare the adopted FY 14-15 Budget with the originally Adopted FY 13-14 Budget column.
2. Personnel Services, Materials and Services, and Capital Outlay budget amounts represent combined Springfield and Eugene Operating Budgets that support the RWP.

3. Capital Outlay does not include CIP, Equipment Replacement, Major Capital Outlay, or Major Rehabilitation, which are capital programs.
4. The Equipment Replacement Contribution is a budgeted transfer of operating revenues to “sinking funds” (reserves) for scheduled future replacement of major equipment, vehicles, and computers. See table on page 22 for year-end balance.
5. The Capital Reserve Contribution is a budgeted transfer of operating revenues to “sinking funds” (reserves). Capital is passed through the Springfield Administration Budget. See table on page 24 for year-end balance.
6. The Working Capital Reserve acts as a revolving account which is drawn down and replenished on a monthly basis to fund Eugene’s and Springfield’s cash flow needs.
7. The Rate Stability Reserve is used to set aside revenues available at year-end after the budgeted Operating Reserve target is met. Internal policy has established a level of \$2 million for the Rate Stability Reserve. See Exhibit 7 on page 21 for year-end balance.
8. The Insurance Reserve was established to set aside funds equivalent to the insurance deductible amount for property and liability insurance coverage, for general losses per occurrence.
9. The Operating Reserve is used to account for the accumulated operating revenues net of operations expenditures. The Commission has adopted a policy of maintaining an Operating Reserve balance of a minimum 10% of the adopted Operating Budget. This targeted level of funding provides for contingency funds in the event unanticipated expenses or revenue shortfalls occur during the budget year.
10. The Debt Service line item is the sum of annual interest and principal payments on the Revenue Bonds and Clean Water State Revolving Fund (SRF) loans made from the Operating Budget (derived from user rates). The total amount of Debt Service budgeted in FY 14-15 is \$7,763,982 the balance of which is budgeted from SDCs.
11. The Rate Stabilization Reserve was established at \$2 million as a result of the 2006 MWMC Revenue Bond Declaration and Covenants. It holds funds that are available if needed, to ensure Debt Service payments can be made.
12. The Clean Water SRF loan reserve is budgeted as required per loan agreements.
13. The Revenue Bond Reserve was established to provide assurances to the bond holders that adequate revenue coverage will be provided for future debt service obligations. The \$4.1 million reserve to cover the 2006 bond is established in the operating fund, as it was funded with user fees. The bond reserve for the 2008 issuance is held in the Capital funds.

EXHIBIT 3						
REGIONAL WASTEWATER PROGRAM OPERATING BUDGET						
LINE ITEM SUMMARY BY PROGRAM AREA						
	ACTUAL FY 12-13	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE INCR/(DECR)	
<u>SPRINGFIELD</u>						
MWMC ADMINISTRATION						
Personnel Services	\$1,102,068	\$1,278,956	\$1,243,657	\$1,280,438	\$1,482	0.1%
Materials & Services	1,371,858	1,812,885	1,912,232	2,050,323	237,438	13.1%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$2,473,926	\$3,091,841	\$3,155,889	\$3,330,761	\$238,920	7.7%
INDUSTRIAL PRETREATMENT						
Personnel Services	\$281,246	\$314,595	\$305,409	\$334,275	\$19,680	6.3%
Materials & Services	95,563	113,124	113,124	122,551	9,427	8.3%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$376,809	\$427,719	\$418,533	\$456,826	\$29,107	6.8%
ACCOUNTING						
Personnel Services	\$83,835	\$90,068	\$87,435	\$91,932	\$1,864	2.1%
Materials & Services	21,796	27,134	27,134	31,770	4,636	17.1%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$105,631	\$117,202	\$114,569	\$123,702	\$6,500	5.5%
TOTAL SPRINGFIELD						
Personnel Services	\$1,467,149	\$1,683,619	\$1,636,501	\$1,706,645	\$23,026	1.4%
Materials & Services	1,489,217	1,953,143	2,052,490	2,204,644	251,501	12.9%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$2,956,366	\$3,636,762	\$3,688,991	\$3,911,289	\$274,527	7.5%
<u>EUGENE</u>						
ADMINISTRATIVE SERVICES						
Personnel Services	1,431,713	1,716,706.00	1,716,706.00	1,737,124.00	20,418	1.2%
Materials & Services	475,380	713,441.44	713,441.44	745,403.08	31,962	4.5%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$1,907,093	\$2,430,147	\$2,430,147	\$2,482,527	\$52,380	2.2%
BIOSOLIDS MANAGEMENT						
Personnel Services	1,170,577	1,223,763.00	1,223,763.00	1,203,064.00	(\$20,699)	-1.7%
Materials & Services	802,229	1,038,476.39	1,038,476.39	991,252.48	(47,224)	-4.5%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$1,972,806	\$2,262,239	\$2,262,239	\$2,194,316	(\$67,923)	-3.0%
INDUSTRIAL SOURCE CONTROL						
Personnel Services	474,294	525,342.00	525,342.00	535,786.00	\$10,444	2.0%
Materials & Services	91,679	143,153.62	143,153.62	133,775.96	(9,378)	-6.6%
Capital Outlay	0	0	0	20,000	20,000	NA
TOTAL	\$565,972	\$668,496	\$668,496	\$689,562	\$21,066	3.2%
TREATMENT PLANT						
Personnel Services	4,032,323	4,053,381.00	4,053,381.00	4,123,432.00	\$70,051	1.7%
Materials & Services	2,161,063	2,481,069.79	2,161,069.79	2,458,367.78	(22,702)	-0.9%
Capital Outlay	24,149	52,328.00	52,328.00	43,500.00	(8,828)	-16.9%
TOTAL	\$6,217,535	\$6,586,779	\$6,266,779	\$6,625,300	\$38,521	0.6%
REGIONAL PUMP STATIONS						
Personnel Services	102,129	176,983.00	176,983.00	181,185.00	\$4,202	2.4%
Materials & Services	234,641	354,782.56	354,782.56	338,368.94	(16,414)	-4.6%
Capital Outlay	0	0	0	0	0	--
TOTAL	\$336,770	\$531,766	\$531,766	\$519,554	(\$12,212)	-2.3%
BENEFICIAL REUSE SITE						
Personnel Services	126,636	168,719.00	168,719.00	169,306.00	\$587	0.3%
Materials & Services	48,098	67,885.19	67,885.19	90,792.75	\$22,908	33.7%
Capital Outlay	0	0	0	0	\$0	--
TOTAL	\$174,735	\$236,604	\$236,604	\$260,099	\$23,495	9.9%
TOTAL EUGENE						
Personnel Services	\$7,337,672	\$7,864,894	\$7,864,894	\$7,949,897	\$85,003	1.1%
Materials & Services	3,813,091	4,798,809	4,478,809	4,757,961	(40,848)	-0.9%
Capital Outlay	24,149	52,328	52,328	63,500	11,172	21.3%
TOTAL	\$11,174,912	\$12,716,031	\$12,396,031	\$12,771,358	\$55,327	0.4%
TOTAL REGIONAL BUDGET						
		\$16,352,793		\$16,682,647	\$329,854	2.0%

EXHIBIT 4
REGIONAL WASTEWATER PROGRAM
BUDGET SUMMARY AND COMPARISON

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE * INC(DEC)
<u>OPERATING BUDGET</u>				
Administration	\$3,631,762	\$3,683,991	\$3,906,289	\$274,527
Operations	12,716,031	12,396,031	12,771,358	55,327
Capital Contribution	6,000,000	6,320,000	7,000,000	1,000,000
Equip Repl - Contribution	500,000	500,000	500,000	0
Operating & Revenue Bond Reserves	11,874,914	12,860,305	12,759,911	884,997
Debt Service	7,669,969	7,977,116	7,763,982	94,013
Total Operating Budget	\$42,392,676	\$43,737,443	\$44,701,540	\$2,308,864
<u>Funding:</u>				
Beginning Balance	\$12,369,756	\$13,714,523	\$13,693,350	\$1,323,593
User Fees	28,270,000	28,270,000	29,370,000	1,100,000
Other	1,752,920	1,752,920	1,638,190	(114,730)
Total Operating Budget Funding	\$42,392,676	\$43,737,443	\$44,701,540	\$2,308,863
<u>CAPITAL PROGRAM BUDGET</u>				
Wet Weather Planning / CMOM	\$184,740	\$214,504	\$96,504	(\$88,236)
Facility Plan Engineering Services	70,000	103,310	70,000	0
Odorous Air Treatment 2	0	176,555	0	NA
Influent PS/Willakenzie PS/Headworks	306,256	304,051	208,051	(98,205)
Primary Sludge Thickening	30,320	306,504	36,504	6,184
Sodium Hypochlorite Conversion	2,960,666	3,233,690	2,063,690	(896,976)
Tertiary Filtration 1	500,000	518,882	200,000	(300,000)
Digestion Capacity Increase	0	0	2,800,000	NA
Thermal Load Pre-Implementation	700,000	661,143	275,000	(425,000)
Thermal Load Implementation 1	700,000	617,928	433,928	(266,072)
Poplar Harvest Mgmt Svcs 1	0	261,700	161,700	NA
Biosolids Force Main Rehab	1,373,000	1,425,870	915,870	(457,130)
Line Biosolids Lagoons 4	2,132,000	2,150,950	0	NA
Tertiary Filtration Phase 2	3,000,000	3,000,000	0	NA
WPCF Lagoon Remove/Decommission	1,500,000	1,500,000	4,705,000	3,205,000
Mixing Zone Study	0	198,173	0	NA
Operations Building Improvements	0	0	1,300,000	NA
<u>Asset Management:</u>				
Equipment Replacement Purchases	542,181	542,181	439,400	(102,781)
Major Rehab	497,351	923,202	1,234,000	736,649
Major Capital Outlay	0	843,881	0	NA
Total Capital Projects	\$14,496,514	\$16,982,524	\$14,939,647	\$443,133
<u>Funding:</u>				
Equipment Replacement	\$542,181	\$542,181	\$439,400	(\$102,781)
Capital Bond Fund	10,469,756	10,875,833	10,937,849	468,093
Capital Reserve	3,484,577	5,564,510	3,562,398	77,821
Total Capital Projects Funding	\$14,496,514	\$16,982,524	\$14,939,647	\$443,133

Note: * The Change (Increase/Decrease) column compares the adopted FY 14-15 budget to the originally adopted FY 13-14 budget column.

OPERATING BUDGET AND RATE HISTORY

The graphs on pages 15 and 16 show the Regional Residential Sanitary Sewer costs over a 5-year period, and a 5-year Regional Operating Budget Comparison. Because the Equipment Replacement and Major Infrastructure Rehabilitation programs are managed in the Eugene Operating Budget, based on the size, type and budget amount of the project these programs are incorporated into either the 5-year Regional Operating Budget Comparison graph or the 5-Year Capital Programs graph on page 16. The Regional Wastewater Capital Improvement Programs graph on page 16 shows the expenditures over the recent five years in the MWMC's Capital Program and including Asset Management projects. A list of capital projects is located in Exhibit 13 on page 44.

As shown on the Regional Residential Sanitary Sewer Rate graph on page 15, regional sewer user charges have incrementally increased to meet the revenue requirements necessary to fund facility improvements as indentified in the 2004 MWMC Facilities Plan. This Plan demonstrated the need for a significant capital investment in new and expanded facilities to meet environmental performance requirements and capacity to serve the community through 2025. Although a portion of these capital improvements can be funded through system development charges (SDCs), much of the funding for approximately \$196 million (in 2006 dollars) in capital improvements over the 20-year period will come from user charges. Since 2004, this has become the major driver of the MWMC's need to increase sewer user rates on an annual basis.

In FY 08-09, there was an 11% user rate increase over FY 07-08 rates applied uniformly across all user classes. This rate increase provided adequate revenue to meet current bond covenants and meet requirements to issue \$50.7 million in bonds in FY 08-09. Additionally, in October of 2008, the Commission adopted an interim user rate increase of 7% due to the closure of Hynix Semiconductor. This increase was necessary to issue new revenue bonds and maintain bond covenants for existing bonds. The typical residential monthly wastewater bill (based on 5,000 gallons of usage) increased an additional \$1.10 per month and went into effect on December 1, 2008.

In FY 09-10, there was an 18% user rate increase over FY 08-09 rates applied uniformly across all user classes. This rate provided for Operations, Administration, Capital programs, reserves and debt service to be funded at sufficient levels to meet FY 09-10 requirements. It met the capital and operating requirements, the Commission's Financial Plan policies, and covenants associated with the MWMC's 2006 and 2008 revenue bonds.

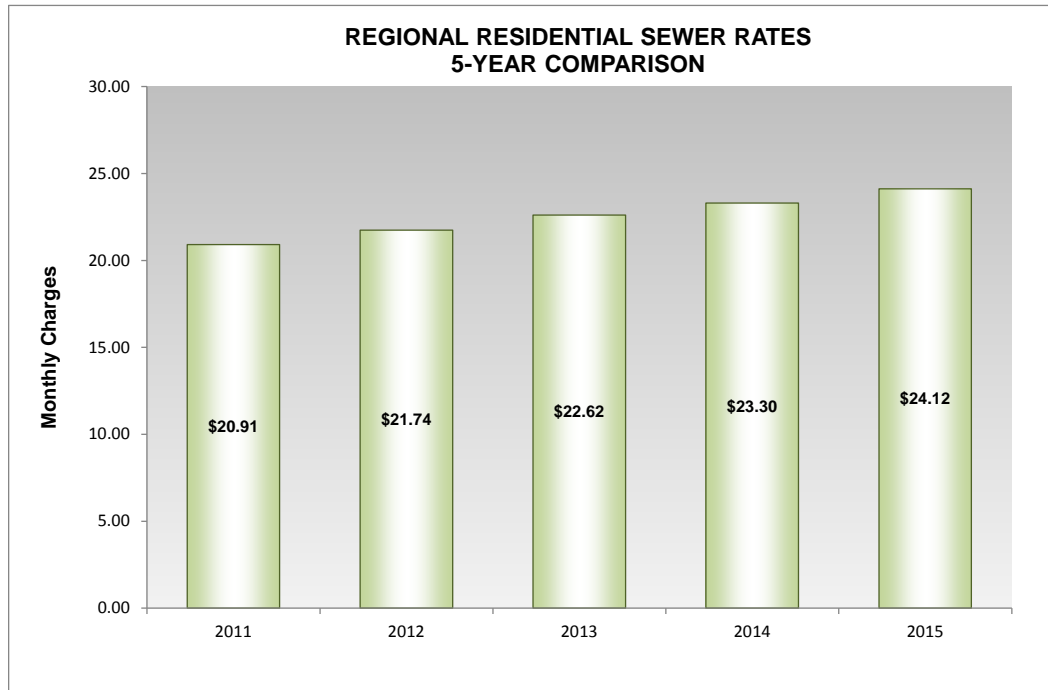
In FY10-11 user rates increased 5% over the prior year rates, and in FY 11-12 and FY 12-13 user rates increased 4% each year, over the prior year rates to provide for Operations, Administration, Capital programs, reserves, debt service, and debt coverage requirements.

In FY 13-14 user rates increased 3% over the FY 12-13 rates to provide for Operations, Administration, Capital programs, reserves, debt service, and debt coverage requirements.

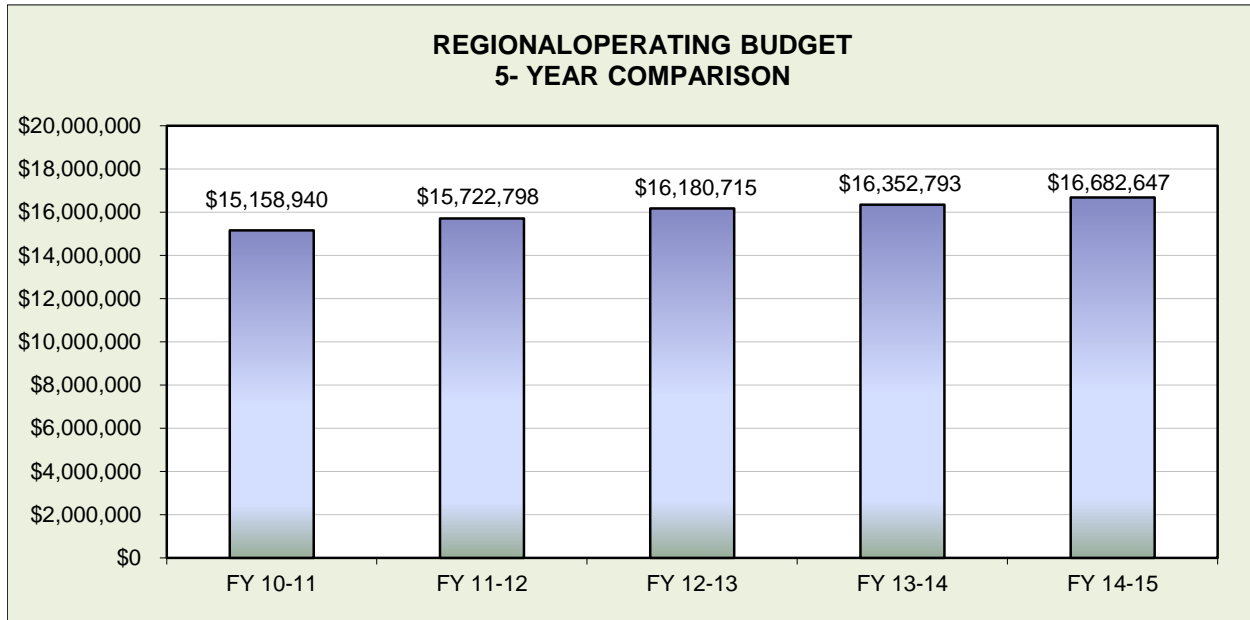
The FY 14-15 Budget is based on a 3.5% user rate increase over the FY 13-14 rates. This increase will continue to provide for Operations, Administration, Capital programs, reserves and debt service, continuing to meet capital and operating requirements, and supporting the

Commission's Financial Plan policies and covenants associated with the MWMC's 2006 and 2008 revenue bonds, as well as financially positioning for a future \$20 million bond sale.

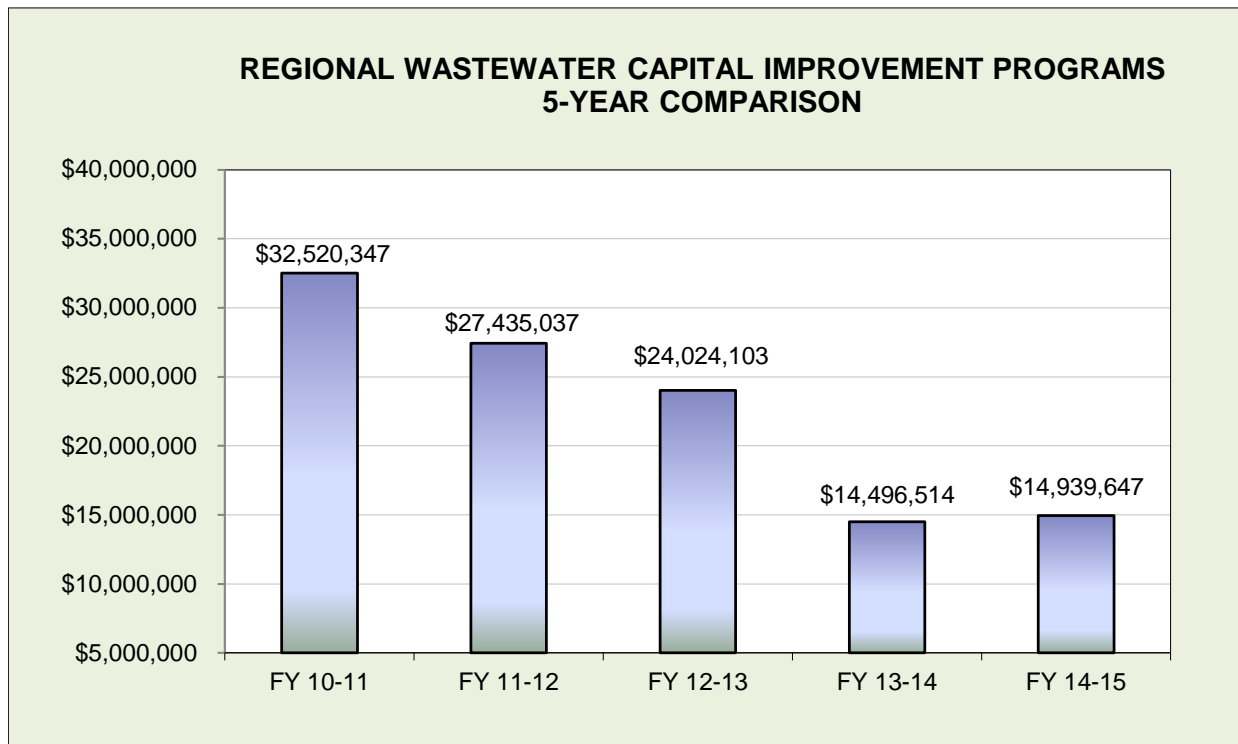
The chart below displays the regional component of a residential monthly bill when applying the base and flow rates to 5,000 gallons of wastewater treated.



The graph below displays the Regional Operating Budget amounts for the recent 5-year period.



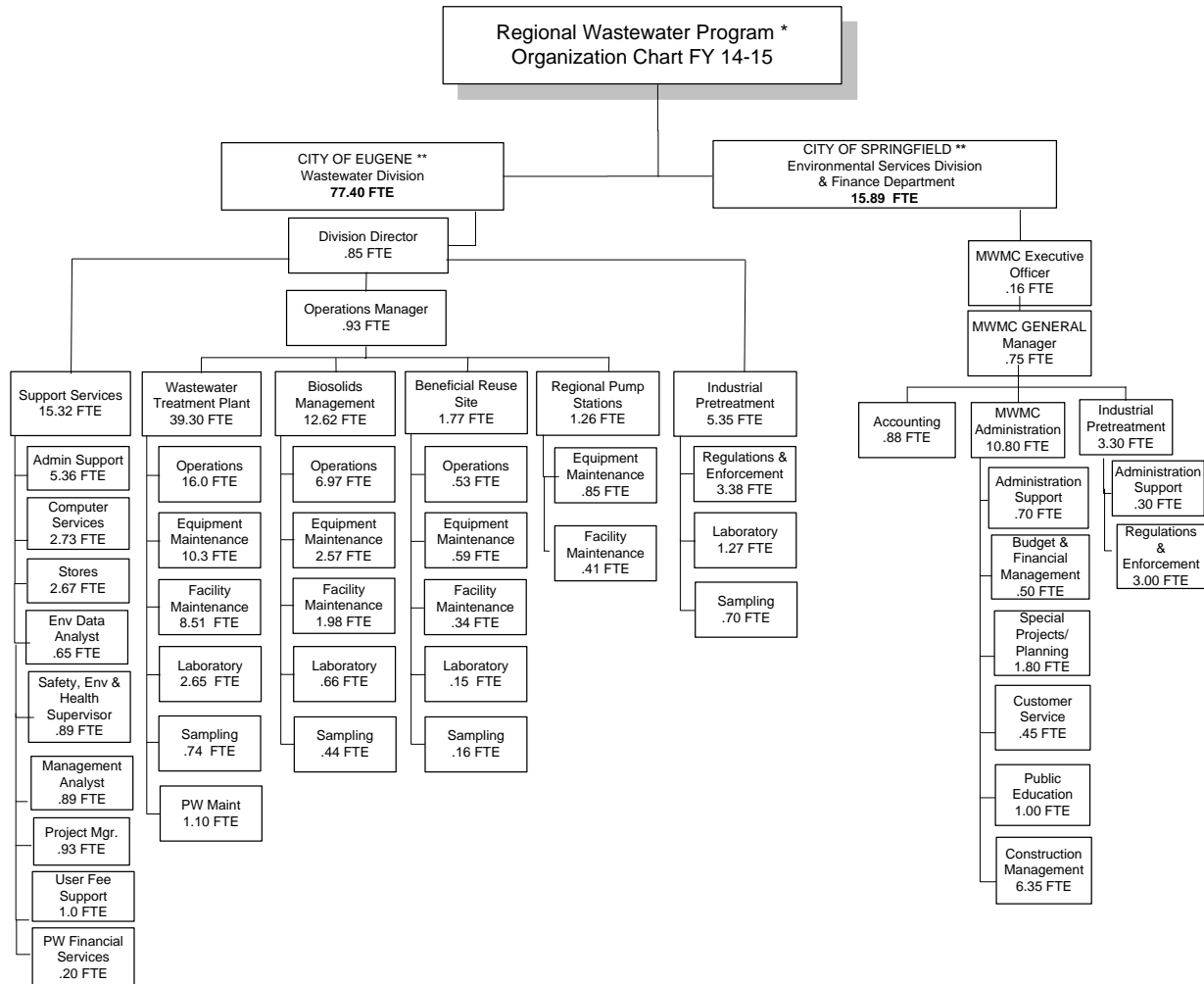
The graph below displays the Regional Wastewater Capital Improvement Program Budget amounts for the recent 5-year period.



REGIONAL WASTEWATER PROGRAM BUDGET

STAFFING

EXHIBIT 5



Notes:

- * Full-Time Equivalent (FTE) figures represent portions of Eugene and Springfield staff funded by regional wastewater funds.
- ** The chart represents groups of staff dedicated to program areas rather than specific positions.

EXHIBIT 6**REGIONAL WASTEWATER PROGRAM
POSITION SUMMARY**

CLASSIFICATION	BUDGET FY 12-13	BUDGET FY 13-14	BUDGET FY 14-15	FTE CHANGE
SPRINGFIELD ENVIRONMENTAL SERVICES & FINANCE				
Development and Public Works Director	0.05	0.08	0.08	-
Development and Public Works Deputy Director	0.00	0.08	0.08	-
ESD Manager/MWMC General Manager	0.75	0.75	0.75	-
ESD/MWMC Assistant Manager	0.70	0.00	0.00	-
Environmental Services Program Manager	0.55	0.55	0.55	-
Managing Civil Engineer	2.00	2.00	2.00	-
Civil Engineer/Design & Construction Coordinator	3.00	3.00	3.00	-
Construction Inspector II	1.00	1.00	1.00	-
Environmental Management Analyst	0.90	0.90	0.90	-
Senior Finance Analyst	0.50	0.50	0.50	-
Public Information & Education Specialist	0.65	1.00	1.00	-
Engineering Assistant	1.60	1.60	1.60	-
Administrative Specialist - Secretary	0.80	0.80	0.80	-
Administrative Specialist - Clerk III	0.25	0.25	0.25	-
Accountant	0.80	0.80	0.80	-
Accounting Supervisor	0.08	0.08	0.08	-
Environmental Services Program Coordinator	1.00	1.00	1.00	-
Environmental Services Technician II	1.20	1.00	1.00	-
Environmental Services Technician I	0.00	0.50	0.50	-
TOTAL SPRINGFIELD	15.83	15.89	15.89	-

EXHIBIT 6 (Continued)**REGIONAL WASTEWATER PROGRAM
POSITION SUMMARY**

CLASSIFICATION	BUDGET FY 12-13	BUDGET FY 13-14	BUDGET FY 14-15	FTE CHANGE
EUGENE WASTEWATER DIVISION & OTHER PW				
Administrative Specialist	1.78	1.78	1.78	-
Administrative Specialist, Sr	0.95	0.95	0.95	-
Application Support Technician	0.95	0.95	0.95	-
Application Systems Analyst	1.78	1.78	1.78	-
Custodian	1.00	1.00	1.00	-
Finance & Admin Manager	0.89	0.89	0.89	-
Electrician I	0.70	1.28	3.28	2.00
Engineering Associate	0.35	0.35	0.35	-
Maintenance Worker	11.34	12.29	12.29	-
Management Analyst	3.36	4.25	4.25	-
Office Supervisor, Sr	0.89	0.89	0.89	-
Parts and Supply Specialist	1.78	1.78	1.78	-
PW Financial Services Manager	0.20	0.20	0.20	-
Utility Billing Coordinator	1.00	1.00	1.00	-
Wastewater Lab Assistant	0.82	0.82	0.82	-
Wastewater Division Director	0.85	0.85	0.85	-
Wastewater Instrument Electrician	3.58	3.00	1.00	(2.00)
Wastewater Plant Operations Manager	0.93	0.93	0.93	-
Wastewater Operations Supervisor	2.89	2.00	2.00	-
Wastewater Plant Maintenance Supervisor	2.88	2.88	2.88	-
Wastewater Pretreatment & Lab Supervisor	0.82	0.82	0.82	-
Wastewater Technician	37.51	36.71	36.71	-
TOTAL	77.25	77.40	77.40	-
GRAND TOTAL	93.08	93.29	93.29	-

REGIONAL WASTEWATER PROGRAM BUDGET

RESERVES

REGIONAL WASTEWATER PROGRAM RESERVES

The RWP maintains reserve funds for the dedicated purpose to sustain stable rates while fully funding operating and capital needs. Commission policies and guidance, which direct the amount of reserves appropriated on an annual basis, are found in the 2005 MWMC Financial Plan. Further details on the FY 14-15 reserves are provided below.

OPERATING RESERVES

The MWMC Operating Budget includes seven separate reserves: the Working Capital Reserve, Rate Stability Reserve, Rate Stabilization Reserve, Revenue Bond Reserve, State Revolving Fund (SRF) Reserve, Insurance Reserve and the Operating Reserve. Revenues are appropriated across the reserves in accordance with Commission policy and expenditure needs. Each reserve is explained in detail below.

WORKING CAPITAL RESERVE

The Working Capital Reserve acts as a revolving account that is drawn down and replenished on a monthly basis to provide funds for payment of Springfield Administration and Eugene Operations costs prior to the receipt of user fees from the Springfield Utility Board and Eugene Water and Electric Board. The Working Capital Reserve is set at \$900,000 for FY 14-15, \$200,000 of which is dedicated to Administration and \$700,000 is dedicated to Operations.

RATE STABILITY RESERVE

The Rate Stability Reserve was established to implement the Commission's objective of maintaining stable rates. It is intended to hold revenues in excess of the current year's operating and capital requirements for use in future years, in order to avoid "rate spikes." The amount budgeted on an annual basis has been set at \$2,000,000, with any additional net revenues being transferred to the capital reserve for future projects.

RATE STABILIZATION RESERVE

The Rate Stabilization Reserve contains funds to be used at any point in the future when net revenues are insufficient to meet the bond covenant coverage requirement. The Commission shall maintain the Rate Stabilization account as long as bonds are outstanding. In FY 14-15 no additional contribution to this reserve is budgeted and the balance at June 30, 2015, will remain at \$2,000,000.

REVENUE BOND RESERVE

The Bond Reserve was created to provide assurances to the bond holders that adequate revenue coverage will be provided for future debt service payments. To meet reserve requirements of the 2006 bond issuance the Bond Reserve is budgeted at \$4,100,000 for FY14-15, and is held in

the operating fund, as it was funded with user fees. The Bond Reserve from the 2008 issuance is held in the capital funds.

CLEAN WATER STATE REVOLVING FUND (SRF) RESERVE

The Clean Water SRF Reserve was established to meet revenue coverage requirements for SRF loans. The SRF Reserve is set at \$642,866 for FY 14-15.

INSURANCE RESERVE

The Insurance Reserve was established to set aside funds equivalent to the insurance deductible amount for property and liability insurance coverage, for general losses per occurrence. The Insurance Reserve is set at \$100,000 for FY 14-15.

OPERATING RESERVE

The Operating Reserve is used to account for accumulated operating revenues net of operating expenditures (including other reserves). The Commission's adopted policy is to budget the Operating Reserve at approximately 10% of the adopted operating budget. For FY 14-15, the Operating Reserve is budgeted at \$3,017,045, which includes the 10% of total Personal Services, Materials and Services, and Capital Outlay in accordance with Commission policy.

EXHIBIT 7

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15
OPERATING RESERVES			
Beginning Balance	12,369,756	13,714,523	13,693,350
User Fee Revenue	28,100,000	28,100,000	29,200,000
Septage Revenue	170,000	170,000	170,000
Other Revenue	1,713,400	1,713,400	1,570,300
Interest	22,000	22,000	50,000
Transfer from Bond Capital Fund	0	0	0
Transfer from Reimbursement SDCs	17,520	17,520	17,890
Personal Services	(9,548,513)	(9,501,395)	(9,656,542)
Materials & Services	(6,746,952)	(6,526,299)	(6,957,605)
Capital Outlay	(52,328)	(52,328)	(63,500)
Interfund Transfers	(6,500,000)	(6,820,000)	(7,500,000)
Transfer to Bond Debt Service Fund	(6,311,426)	(6,311,426)	(6,306,701)
Debt Service - SRF Loan	(1,358,543)	(1,665,690)	(1,457,281)
WORKING CAPITAL	(900,000)	(900,000)	(900,000)
INSURANCE RESERVE	(100,000)	(100,000)	(100,000)
SRF LOAN RESERVE	(643,078)	(643,078)	(642,866)
RATE STABILITY RESERVE	(2,000,000)	(2,000,000)	(2,000,000)
RATE STABILIZATION RESERVE	(2,000,000)	(2,000,000)	(2,000,000)
BOND RESERVE - REVENUE 06	(4,100,000)	(4,100,000)	(4,100,000)
Operating Reserve	\$2,131,836	\$3,117,227	\$3,017,045

CAPITAL RESERVES

The MWMC Capital Budget includes five reserves: the Equipment Replacement Reserve, SDC Reimbursement Reserves, SDC Improvement Reserves, the Capital Reserve and the Bond Reserve. These reserves accumulate revenue to help fund capital projects including equipment replacement and major rehabilitation. They are funded by annual contributions from user rates, SDCs, bond proceeds, and SRF loans. Each reserve is explained in detail below.

EQUIPMENT REPLACEMENT RESERVE

The Equipment Replacement Reserve accumulates replacement funding for three types of equipment: 1) major/stationary equipment items costing less than \$200,000 with useful lives of 20 years or less; 2) fleet vehicles maintained by the Eugene Wastewater Division; and 3) computers that serve the Eugene Wastewater Division. Contributions to the Equipment Replacement Reserve in the FY 14-15 budget total \$500,000, additional budget details are provided below.

The Equipment Replacement Reserve is intended to accumulate funds necessary to provide for the timely replacement or rehabilitation of equipment, and may also be borrowed against to provide short-term financing of capital improvements. An annual analysis is performed on the Equipment Replacement Reserve. The annual contribution is set so that all projected replacements will be funded over a 20-year period and at the end of the 20-year period, the reserve will contain replacement funds for all equipment projected to be in use at that time. Estimates used in the analysis include interest earnings, inflation rates and useful lives for the equipment.

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15
EQUIPMENT REPLACEMENT RESERVE			
Beginning Balance	11,110,287	11,110,287	11,159,523
Annual Equipment Contribution	500,000	500,000	500,000
Annual Vehicle Contribution	0	0	0
Annual Computer Contribution	0	0	0
Interest	40,000	40,000	40,000
Equipment Purchases	(542,181)	(542,181)	(439,400)
Equipment Replacement Reserve	\$11,108,106	\$11,108,106	\$11,260,123

SYSTEM DEVELOPMENT CHARGE (SDC) RESERVES

SDCs are required as part of the MWMC IGA. They are connection fees charged to new users to recover the costs related to system capacity, and are limited to funding Capital Programs. The purpose of the SDC Reserves is to collect and account for SDC revenues separately from other revenue sources, in accordance with Oregon statutes. The Commission's SDC structure includes a combination of "Reimbursement" and "Improvement" fee components. Estimated SDC revenues for FY 14-15 are approximately \$830,000. Budgeted expenditures include \$1,400,000 from Improvement Fees to fund portions of the annual debt service payments on the

2006 and 2008 revenue bonds. The projected beginning SDC Reserve balance on July 1, 2014 is \$2,664,877.

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15
REIMBURSEMENT SDC RESERVE			
Beginning Balance	197,068	281,445	382,525
Reimbursement SDCs Collected	51,000	51,000	80,000
Interest	3,000	3,000	1,800
SDC Compliance Charge	2,000	2,000	2,000
Xfr to Debt Service (Fund 312)	0	0	0
Xfr to Debt Service (Fund 612)	(17,520)	(17,520)	(17,890)
Materials & Services	(2,000)	(2,000)	(2,000)
Reimbursement SDC Reserve	\$233,548	\$317,925	\$446,435

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15
IMPROVEMENT SDC RESERVE			
Beginning Balance	1,609,352	2,575,852	2,282,352
Improvement SDCs Collected	601,000	601,000	750,000
Interest	5,000	5,000	7,500
Materials & Services	(3,000)	(3,000)	(3,000)
Xfr to Debt Service (Fund 312)	(1,400,000)	(1,400,000)	(1,400,000)
Improvement SDC Reserve	\$812,352	\$1,778,852	\$1,636,852

CAPITAL RESERVE

The Capital Reserve accumulates funds transferred from the Operating Reserve for the purpose of funding the CIP, Major Capital Outlay and Major Rehabilitation Program costs. The intent is to collect sufficient funds over time to construct a portion of planned capital projects with cash in an appropriate balance with projects that are funded with debt financing. The FY 14-15 Budget includes a contribution from the Operating Reserve of \$7,000,000. The beginning balance on July 1, 2014, is projected to be \$70,566,686. Additional budget detail on the CIP, Major Capital Outlay and Major Rehabilitation Program reserves is provided below.

REVENUE BOND RESERVE

The Bond Reserve was created to provide assurances to the bond holders that adequate revenue coverage will be provided for future debt service payments. For FY 14-15 the Bond Reserve is budgeted at \$4,000,000 in order to meet reserve requirements of the 2008 bond issuance. The Bond Reserve from the 2006 issuance is held in the operating funds.

	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15
CAPITAL RESERVES			
Beginning Balance	67,886,101	69,151,595	70,566,686
Transfer from Operating Reserve	6,000,000	6,320,000	7,000,000
Interest	60,000	60,000	60,000
Interest Income (Revenue Bond Proceeds)	115,000	115,000	200,000
Revenue Bond Sale & SRF Proceeds	317,500	317,500	175,000
Other revenue	0	168,665	0
Funding For Capital Improvement Projects	(13,456,982)	(14,673,260)	(13,266,247)
Funding For Major Rehabilitation	(497,351)	(923,202)	(1,234,000)
Funding For Major Capital Outlay	0	(843,881)	0
Revenue Bond Reserve	(4,000,000)	(4,000,000)	(4,000,000)
Capital Reserve	\$56,424,268	\$55,692,417	\$59,501,439

REGIONAL WASTEWATER PROGRAM BUDGET

APPENDICES

REGIONAL WASTEWATER
PROGRAM BUDGET

APPENDIX A
SPRINGFIELD
PROGRAM DETAIL

**CITY OF SPRINGFIELD
REGIONAL WASTEWATER PROGRAM RESPONSIBILITIES**

The City of Springfield manages administration services for the RWP under the Intergovernmental Agreement for the Metropolitan Wastewater Management Commission (MWMC). The programs maintained by Springfield to support the RWP are summarized below and are followed by Springfield's regional wastewater budget summaries. Activities, and therefore program budgets, for the MWMC administration vary from year to year depending upon the major construction projects and special initiatives underway. A list of the capital projects Springfield staff will support in FY 14-15 is provided in Exhibit 12 on page 40.

Program Responsibilities

- Administration & Management
- Financial Planning & Management
- Long-Range Capital Project Planning
- Project and Construction Management
- Coordination between the Commission and governing bodies
- Coordination and Management of:
 - Risk Management & Legal Services
 - Public Policy Issues
 - Regulatory and Permit Compliance Issues
- Public Information, Education and Outreach
- Industrial Pretreatment Source Control
- Customer Service

MWMC ADMINISTRATION

The Springfield Environmental Services Division (ESD) and Finance Department provide ongoing support and management services for the MWMC. The Development and Public Works (DPW) Director serves as the MWMC Executive Officer. The Environmental Services Manager serves as the General Manager. Springfield provides the following administration functions: financial planning management, accounting and financial reporting; risk management and legal services; coordination and management of public policy; coordination and management of regulatory and permit compliance issues; coordination between the Commission and the governing bodies; long-range capital project planning and construction management; coordination of public information, education, and citizen involvement programs; sewer user customer service; and coordination and development of regional budgets, rate proposals, and revenue projections.

INDUSTRIAL PRETREATMENT (SOURCE CONTROL) PROGRAM

The Industrial Pretreatment Program is a regional activity implemented jointly by the Cities of Eugene and Springfield. The Industrial Pretreatment section of the ESD is charged with administering the program for the regulation and oversight of wastewater discharged to the sanitary collection system by industries in Springfield. This section is responsible for ensuring that these wastes do not damage the collection system, interfere with wastewater treatment processes, result in the pass-through of harmful pollutants to treated effluent or biosolids, or threaten worker health or safety.

This responsibility is fulfilled, in part, by the use of a permit system for industrial dischargers. This permit system, common to both Eugene and Springfield, implements necessary limitations on waste characteristics and establishes inspection, monitoring, and reporting requirements for documenting waste quality and quantity controls. The Industrial Pretreatment section is also responsible for locating new industrial discharges in Springfield and evaluating the impact of those discharges on the regional WPCF. As of February 2014, there were 20 significant industrial users under permit in Springfield. The Industrial Pretreatment Program also addresses the wastewater discharges of some commercial/industrial businesses through the development

and implementation of Pollution Management Practices. Pretreatment program staff also coordinates pollution prevention activities in cooperation with the Pollution Prevention Coalition of Lane County.

ACCOUNTING AND FINANCIAL REPORTING

Accounting and financial reporting services for the RWP are provided by the Accounting section in the Springfield Finance Department, in coordination with ESD. Springfield Accounting staff maintains grant and contract accounting systems, as well as compliance with all local, state and federal accounting and reporting requirements for MWMC finances. This section also assists ESD with preparation of the MWMC budget, capital financing documents, sewer user rates, and financial policies and procedures.

PROGRAMS AND SIGNIFICANT SERVICE/EXPENDITURE CHANGES

In FY 14-15, the City of Springfield will support the following major regional initiatives in addition to ongoing Commission administration and industrial pretreatment activities:

- Develop and implement the regional Capacity Management Operations and Maintenance (CMOM) Program Plan, focusing on continued inflow and infiltration reductions, including flow monitoring, data tracking, regional coordination, and continue to explore methods of addressing private laterals.
- Implement Capital Financing strategies necessary to meet current revenue bond obligations, prepare for additional debt financing, and ensure sufficient revenues in accordance with the 2005 MWMC Financial Plan.
- Continue implementation of the 2004 MWMC Facilities Plan to meet all regulatory requirements and capacity needs and update the 2004 Facilities Plan in FY 14-15. Considering emerging environmental regulations that may impact the operation of the WPCF.
- Continue public information, education and outreach activities focused on the MWMC Facilities Plan and MWMC's objectives for maintaining water quality and a sustainable environment.
- Protect RWP interests through participation in Association of Clean Water Agencies activities.
- Coordinate temperature Total Maximum Daily Load (TMDL) compliance through continued development and implementation of the thermal load mitigation strategy, that includes but is not limited to a recycled water program.
- Continue participation with the Association of Clean Water Agencies and the Department of Environmental Quality in the development of a Capacity Management Operations and Maintenance (CMOM) Program.

SIGNIFICANT BUDGET CHANGES FOR FY 14-15

The budget for Springfield Personnel Services, Materials and Services, and Capital Outlay for FY 14-15 totals \$3,911,289 representing an overall increase of \$274,527 (7.5%) over the adopted FY 13-14 budget, as displayed in Exhibit 8 on page 28.

Personnel Services

Personnel Services totaling \$1,706,645 represent a FY 14-15 increase of \$23,026 or 1.4% over the originally adopted FY 13-14 budget. The major changes are summarized below:

Staffing Level – 15.89 full-time equivalent (FTE) staff remains level

Staffing remains level in the FY 14-15 budget when compared to FY 13-14.

Regular Wages - \$1,138,648, an increase of \$50,585 or 4.6%

Salaries are based upon the negotiated management/labor contracts as approved by the Springfield City Council.

PERS/OPSRP Contributions - \$151,571, a decrease of \$42,060 or -21.7%

Employee retirement contribution is decreased in the FY 14-15.

Health Insurance - \$299,688, an increase of \$17,466 or 6.2%

Health insurance includes employee related medical and dental insurance.

Materials and Services

The Materials and Services budget total is \$2,204,644 in FY14-15, representing an increase of \$251,501 or 12.9% over the originally adopted FY 13-14 budget. The major changes are summarized below:

Property and Liability Insurance - \$463,600, an increase of \$133,600 or 40.5%

The \$133,600 increase is in comparison to the originally adopted FY 13-14 budget. The FY 13-14 budget was amended increasing the budget by \$66,267 or 20% from \$330,000 to \$396,267 to meet increased premiums for insurance coverage levels in FY 13-14. In FY 14-15, the budget is increased by an additional \$67,333 or 17% when compared to the FY 13-14 amended budget.

Contractual Services –\$186,180, a net increase of \$46,480 or 33.3%

The \$46,480 increase includes \$30,000 (net \$21,480) for development, execution and tabulation of a regional customer survey, and \$25,000 for technical assistance to assist with further evaluation on development of a regional private lateral program.

Internal Charges - \$180,061, an increase of \$35,550 or 24.6%

The \$35,550 increase is primarily related to the regional portion of the City of Springfield internal insurance charges including liability, auto, property and risk insurance.

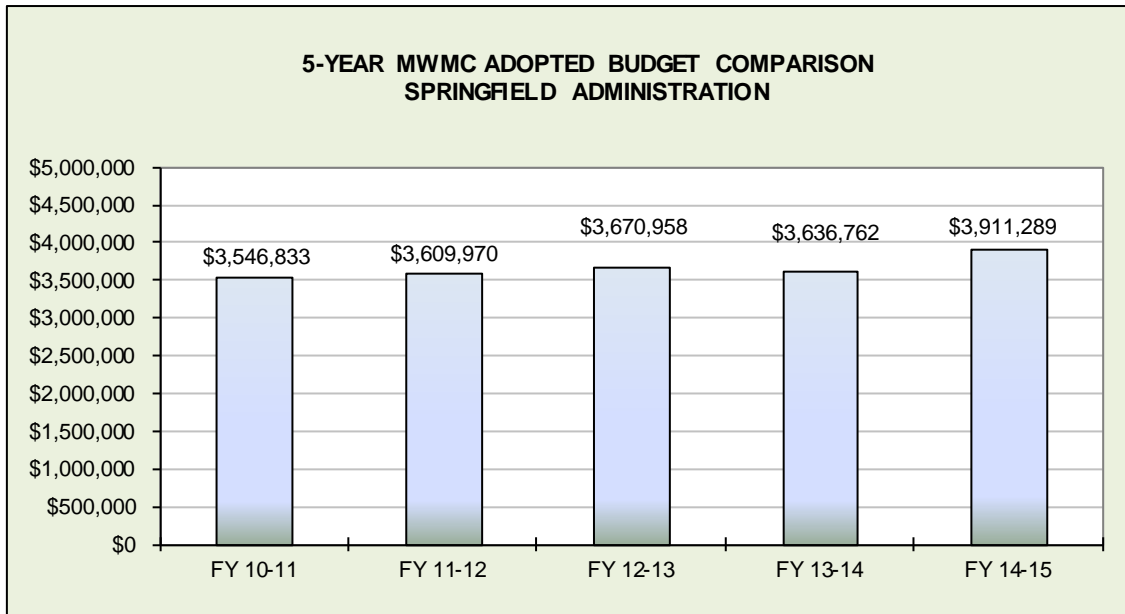
Indirect Costs - \$330,824, an increase of \$24,506 or 8%

The \$24,504 increase is based on changes in overhead costs as programmed in the FY 14-15 budget, when compared FY 13-14. Indirect Costs are based on a methodology approved by the federal government, which is outlined in the MWMC Intergovernmental Agreement.

EXHIBIT 8

**SPRINGFIELD ADMINISTRATION PROGRAM
ADOPTED FY 14-15
BUDGET SUMMARY**

	ACTUAL FY 12-13	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE *	
					INCR/(DECR)	
Personnel Services	\$1,467,149	\$1,683,619	\$1,636,501	\$1,706,645	\$23,026	1.4%
Materials & Services	1,489,217	1,953,143	2,052,490	2,204,644	251,501	12.9%
Capital Outlay	0	0	0	0	0	NA
Budget Summary	\$2,956,366	\$3,636,762	\$3,688,991	\$3,911,289	\$274,527	7.5%



Note: * Change column compares the adopted FY 14-15 Budget to the adopted FY 13-14 Budget.

EXHIBIT 9
SPRINGFIELD ADMINISTRATION
LINE ITEM BUDGET SUMMARY

	ACTUAL FY 12-13	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE INCR/(DECR)	
<u>PERSONNEL SERVICES</u>						
Regular Wages	\$996,846	\$1,088,063	\$1,088,063	\$1,138,648	\$50,585	4.6%
Overtime	623	7,716	7,716	7,716	0	0.0%
Employee Benefits	100,502	111,987	111,987	109,022	(2,965)	-2.6%
PERS/OPSRP	130,321	193,631	146,513	151,571	(42,060)	-21.7%
Medical/Dental Insurance	238,857	282,222	282,222	299,688	17,466	6.2%
Total Personnel Services	\$1,467,149	\$1,683,619	\$1,636,501	\$1,706,645	\$23,026	1.4%
FTE	16.68	15.89	15.89	15.89	-	0.0%
<u>MATERIALS & SERVICES</u>						
Billing & Collection Expense	504,439	568,000	568,000	575,000	7,000	1.2%
Property & Liability Insurance	263,750	330,000	396,267	463,600	133,600	40.5%
Contractual Services	21,447	139,700	147,780	186,180	46,480	33.3%
Attorney Fees and Legal Expense	32,171	175,000	175,000	175,505	505	0.3%
WPCF/NPDES Permits	103,371	126,500	126,500	126,600	100	0.1%
Materials & Program Expense	47,159	84,499	84,473	86,689	2,190	2.6%
Computer Software & Licenses	35,372	39,800	64,800	39,050	(750)	-1.9%
Employee Development	8,264	19,365	19,365	20,915	1,550	8.0%
Travel & Meeting Expense	9,581	19,450	19,550	20,220	770	4.0%
Internal Charges	141,560	144,511	144,437	180,061	35,550	24.6%
Indirect Costs	322,103	306,318	306,318	330,824	24,506	8.0%
Total Materials & Services	\$1,489,217	\$1,953,143	\$2,052,490	\$2,204,644	251,501	12.9%
<u>CAPITAL OUTLAY</u>	0	0	0	0	0	NA
Total Capital Outlay	0	0	0	0	0	NA
TOTAL	\$2,956,366	\$3,636,762	\$3,688,991	\$3,911,289	274,527	7.5%

REGIONAL WASTEWATER
PROGRAM BUDGET

APPENDIX B

EUGENE
PROGRAM DETAIL

**CITY OF EUGENE
REGIONAL WASTEWATER PROGRAM RESPONSIBILITIES**

The Wastewater Division for the City of Eugene manages all regional wastewater pollution control facilities serving the areas inside the Eugene and Springfield Urban Growth Boundaries under the Intergovernmental Agreement for the Metropolitan Wastewater Management Commission (MWMC). These regional facilities include the Eugene/Springfield Regional Water Pollution Control Facility (WPCF), the Biosolids Management Facility, the Beneficial Reuse Site, the Biocycle Farm site, and regional wastewater pumping stations and transmission sewers.

Program Responsibilities

- Administration & Management
- Facility Operations
- Facility Maintenance
- Biosolids Management
- Industrial Source Control
- Management Information Services
- Project Management

In support of the water pollution control program, the Division provides technical services for wastewater treatment, management of equipment replacement and infrastructure rehabilitation, biosolids treatment and recycling, regional laboratory services, and an industrial source control and pretreatment program in conjunction with City of Springfield staff.

ADMINISTRATIVE AND MANAGEMENT SERVICES

Administrative Services provides management, administrative, and office support to the Wastewater Division. This support includes the general planning, directing, and managing of the activities of the Division; development and coordination of the budget; administration of personnel records; and processing of payroll, accounts payable, and accounts receivable. This section also provides tracking and monitoring of all assets for the regional wastewater treatment facilities and clerical support for reception, telephone services, and other miscellaneous needs. The Administrative services include oversight and coordination of the Division's Environmental Management System, safety, and training programs, and a stores unit that purchases and stocks parts and supplies and assists with professional services contracting. Another area this program administers is the coordination of local and regional billing and rate activities.

REGIONAL WASTEWATER TREATMENT FACILITY OPERATIONS

The Wastewater Division operates the WPCF to treat domestic and industrial liquid wastes to achieve an effluent quality that protects and sustains the beneficial uses of the Willamette River. The Operations section optimizes wastewater treatment processes to ensure effluent quality requirements are met in an efficient and cost effective manner. In addition, the Operations section provides continuous monitoring of the alarm functions for all plant processes, regional and local pump stations, Biosolids Management Facility, and the Beneficial Reuse Site

MAINTENANCE

The mechanical, electrical, and facilities maintenance sections of the Wastewater Division are responsible for preservation of the multi-million dollar investment in the equipment and infrastructure of the WPCF, local and regional pump stations, pressure sewers, as well as the Biosolids Management Facility. These sections provide a preventative maintenance program

to maximize equipment life and reliability; a corrective maintenance program for repairing unanticipated equipment failures; a facility maintenance program to maintain the buildings, treatment structures, and grounds.

BIOSOLIDS MANAGEMENT

The Residuals Management section of the Wastewater Division manages the handling and beneficial reuse of the biological solids (biosolids) produced as a result of the activated sludge treatment of wastewater. This section operates the Biosolids Management Facility (BMF) and the Biocycle Farm located at Awbrey Lane in Eugene. Approximately 4,600 dry tons of biosolids are produced annually by the WPCF. The biosolids are treated using anaerobic digestion, stored in facultative lagoons (which provide some additional treatment benefits), and then processed through a belt filter press and air-dried to reduce the water content and facilitate transport. The dried material is ultimately applied to agricultural land. Biosolids are also irrigated on poplar trees at the Biocycle Farm as a beneficial nutrient and soil conditioner. This section also operates the Beneficial Reuse Site which formerly served to treat wastewater from food processing operation.

INDUSTRIAL SOURCE CONTROL (Pretreatment) and ANALYTICAL SERVICES, SAMPLING TEAM

The pretreatment program is a regional activity implemented jointly by the cities of Eugene and Springfield. The Industrial Source Control group of the Wastewater Division is charged with administering the pretreatment program for the regulation and oversight of commercial and industrial wastewaters discharged to the wastewater collection system by fixed-site industries in Eugene and by mobile waste haulers in the Eugene and Springfield areas. This group is also responsible for ensuring that these wastes do not damage the collection system, interfere with wastewater treatment processes, result in the pass-through of harmful pollutants to treated effluent or biosolids, or threaten worker health or safety.

This responsibility is fulfilled through the use of a permit system for industrial dischargers. This permit system, common to both Eugene and Springfield, implements necessary limitations on waste characteristics and establishes inspection, monitoring, and reporting requirements for documenting waste quality and quantity controls. The staff is also responsible for locating new industrial discharges in Eugene and evaluating the impact of new non-residential discharges on the WPCF. During the calendar year 2013 there were 22 significant industrial users under permit in Eugene. The section also has responsibilities related to environmental spill response activities.

The Analytical Services group provides necessary analytical work in support of wastewater treatment, residuals management, industrial source control, stormwater monitoring, and special project activities of the Wastewater Division. The laboratory's services include sample handling and analyses of influent sewage, treated wastewater, biosolids, industrial wastes, stormwater, and groundwater. Information from the laboratory is used to make treatment process control decisions, document compliance with regulatory requirements, demonstrate environmental protection, and ensure worker health and safety.

The Sampling Team is responsible for the sampling activities related to regional wastewater program functions. These include the Eugene pretreatment program, wastewater treatment process control, effluent and ambient water quality, groundwater quality, facultative sludge lagoons, and stormwater samples. The Division's Environmental Data Analyst evaluates and reports on the sampling data for various programs.

MANAGEMENT INFORMATION SERVICES (MIS)

The MIS section provides services for electronic data gathering, analysis, and reporting as necessary in compliance with regulatory requirements and management functions. This section also maintains the electronic communication linkages with the City of Eugene and supplies technical expertise and assistance in the selection, operation, and modification of computer systems (hardware and software) within the Division.

PROJECT MANAGEMENT

Management of wastewater system improvements and ongoing developments is carried out by the Project Management staff. Activities include coordination of CIP activities with the City of Springfield staff, problem-solving and action recommendations, project management, technical research, coordination of activities related to renewal of the NPDES wastewater discharge permit, computer-aided design and electronic storage of design drawings, and planning of projects to anticipate and prepare for new regulatory and operational requirements. Special emphasis is given to coordinating energy efficiency projects with operations staff. The Project Management staff develops Request for Proposals and Request for Quotes, coordinates special project activities between work sections, and coordinates the procurement of building permits as necessary in support of project activities.

PROGRAMS AND SIGNIFICANT SERVICE/EXPENDITURE CHANGES

In FY 14-15, Eugene staff will support the following major regional initiatives in addition to ongoing operational activities.

- Manage the O&M responsibilities of the NPDES permits for the wastewater discharge and treatment plant stormwater programs and the LRAPA air emissions permit for the regional wastewater treatment plant.
- Continue to evaluate impacts of regulatory actions (such as the federal SSO and blending policy development, Willamette River TMDLs implementation, and any newly adopted state water quality standards) upon operational responsibilities.
- Provide technical input and O&M assessments related to proposed initiatives for addressing TMDL compliance, greenhouse gas emission controls, and renewable energy objectives.
- Complete scheduled major rehabilitation, equipment replacement, and other capital projects in an efficient and timely manner.

- Work cooperatively on the CIP elements and effectively integrate capital project work with ongoing O&M activities, with emphasis on maintaining an effective CIP management and coordination program with Springfield.
- Manage the Operations & Maintenance (O&M) aspects of the Biocycle Farm, continuing biosolids irrigation practices and poplar tree management.

SIGNIFICANT CHANGES IN THE O & M BUDGET FOR FY 14-15

The budget for Operations and Maintenance of the regional wastewater treatment facilities (personnel, materials and services, and capital outlay) for FY 14-15 totals \$12,771,358. The amount represents an increase of \$55,327 or 0.4% from the FY 13-14 budget. The largest cost centers for the budget are personnel costs, utilities, materials, maintenance, and chemicals. Details of significant items and changes for the FY 14-15 Operations and Maintenance budget as compared to the FY 13-14 budget include:

Personnel Services

Personnel Services totaling \$7,949,897 represents a FY 14-15 increase of \$85,003 or 1.1%. The major changes are in the following budget categories:

Staffing

The FY 14-15 budget requests no change in staffing level from the FY 13-14 budget. Staffing requests remains at 77.40 Full Time Equivalent (FTE).

Regular Wages - \$4,910,853, an increase of \$103,117 or 2.1%

Salaries are based upon the negotiated management/labor contracts between the City of Eugene and the local union (AFSCME).

Employee Benefits - \$1,580,338, a decrease of \$84,716 or -5.1%

The employee benefits consist mainly of PERS/OPSRP retirement system costs and Medicare contributions.

Health Insurance - \$1,296,759, an increase of \$86,193 or 7.1%

The increase is based on group claims experience and cost projections. Costs are calculated based on the number of employees.

Materials and Services

The Materials and Services budget totaling \$4,757,961 and represents an FY 14-15 decrease of \$40,848 or -0.9%. The major changes are in the following budget categories:

Indirect Charges - \$983,500, a decrease of \$154,000 or -13.5%

This expenditure category includes costs for payroll processing, human resources services, information technology services, and budget and financial services provided by the City of Eugene to the Wastewater Division.

Contractual Services - \$637,448, an increase of \$119,125 or 23%

This account includes services for outside lab testing, USGS water monitoring, poplar tree pruning and grit waste disposal. The FY14-15 budget request increase includes \$75,000 for one-time electrical arc flash safety improvements.

Materials & Program Expense - \$637,480, an increase of \$76,826 or 13.7%

Materials & Program Expense account includes a wide variety of operational items such as telephone charges, training costs, tools, small equipment, safety supplies, and inventory. FY14-15 budget request increase includes \$48,308 for tools and small equipment, and \$23,000 for large diameter pipe CCTV services.

Chemicals - \$340,302, a decrease of \$45,814 or -11.9%

Chemicals cost decrease due to solicitation of new price agreements resulting in lower costs for disinfection chemicals.

EXHIBIT 10

**EUGENE - OPERATIONS AND MAINTENANCE PROGRAM
ADOPTED FY 14-15
BUDGET SUMMARY**

	ACTUAL FY 12-13	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE *	
					INCR/(DECR)	
Personnel Services	\$7,337,672	\$7,864,894	\$7,864,894	\$7,949,897	\$85,003	1.1%
Materials & Services	3,813,091	4,798,809	4,478,809	4,757,961	(40,848)	-0.9%
Capital Outlay	24,149	52,328	52,328	63,500	11,172	21.3%
Budget Summary	\$11,174,911	\$12,716,031	\$12,396,031	\$12,771,358	\$55,327	0.4%

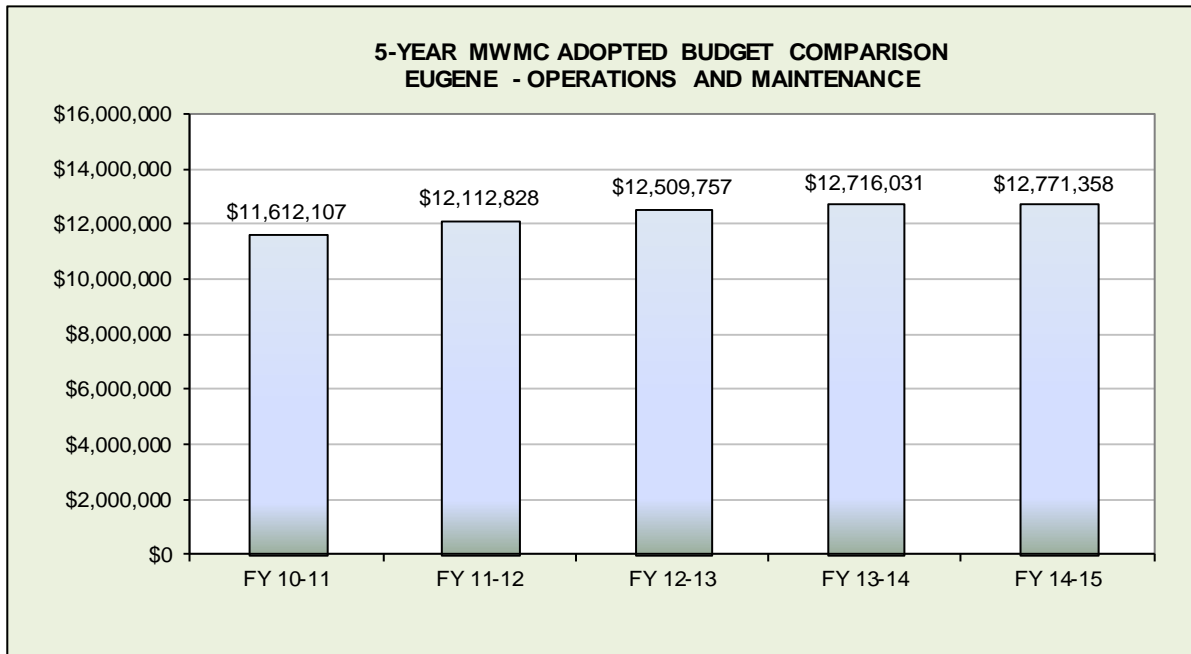


EXHIBIT 11

EUGENE - OPERATIONS & MAINTENANCE
LINE ITEM BUDGET SUMMARY

	ACTUAL FY 12-13	ADOPTED BUDGET FY 13-14	AMENDED BUDGET FY 13-14	ADOPTED BUDGET FY 14-15	CHANGE INCR/(DECR)	
<u>PERSONNEL SERVICES</u>						
Regular Wages	4,574,921	4,807,736	4,807,736	4,910,853	103,117	2.1%
Extra Help	10,151	0	0	0	0	NA
Overtime	57,385	94,645	94,645	71,120	(23,525)	-24.9%
Employee Benefits	1,493,622	1,665,054	1,665,054	1,580,338	(84,716)	-5.1%
Workers' Comp/Unemploy Ins	84,757	86,893	86,893	90,827	3,934	4.5%
Health Insurance	1,116,836	1,210,566	1,210,566	1,296,759.00	86,193	7.1%
TOTAL PERSONNEL SERVICES	\$7,337,672	\$7,864,894	\$7,864,894	\$7,949,897	\$85,003	1.1%
FTE	77.40	77.40	77.40	77.40	0.00	0.0%
<u>MATERIALS & SERVICES</u>						
Utilities	636,920	765,924	765,924	751,190	(14,734)	-1.9%
Fleet Operating Charges	397,310	412,620	412,620	391,967	(20,653)	-5.0%
Maintenance-Equip & Facilities	269,583	383,153	383,153	341,408	(41,745)	-10.9%
Contractual Services	301,832	518,323	518,323	637,448	119,125	23.0%
Materials & Program Expense	513,840	560,654	240,654	637,480	76,826	13.7%
Chemicals	384,177	386,116	386,116	340,302	(45,814)	-11.9%
Parts & Components	211,753	240,004	240,004	300,034	60,030	0.1%
Risk Insurance - Employee Liability	66,774	65,464	65,464	49,174	(16,290)	-2.0%
Laboratory Equipment & Supplies	62,920	77,401	77,401	80,000	2,599	-8.7%
Computer Equip, Supplies, Maint	173,319	251,650	251,650	245,458	(6,192)	26.2%
Indirects	794,664	1,137,500	1,137,500	983,500	(154,000)	-13.5%
TOTAL MATERIALS & SERVICES	\$3,813,091	\$4,798,809	\$4,478,809	\$4,757,961	(\$40,848)	-0.9%
<u>CAPITAL OUTLAY</u>						
Motorized Vehicles	16,573	42,328	42,328	0	(42,328)	NA
Capital Outlay -Other	7,576	10,000	10,000	63,500	53,500	535.0%
TOTAL CAPITAL OUTLAY	\$24,149	\$52,328	\$52,328	\$63,500	\$11,172	21%
TOTAL	\$11,174,911	\$12,716,031	\$12,396,031	\$12,771,358	\$55,327	0.4%

REGIONAL WASTEWATER
PROGRAM BUDGET

CAPITAL PROGRAM

REGIONAL WASTEWATER PROGRAM CAPITAL PROGRAMS

Overview

The Regional Wastewater Program (RWP) includes two components: the Capital Improvement Program (CIP) and the Asset Management Capital Program (AMCP). The FY 14-15 CIP Budget, the FY 14-15 AMCP Budget, and the associated 5-Year Capital Plan are based on the 2004 MWMC Facilities Plan (2004 FP). The 2004 FP was approved by the MWMC, the governing bodies of the City of Eugene, the City of Springfield, Lane County, and the Oregon Department of Environmental Quality in 2004. The 2004 FP and its 20-year capital project list was the result of a comprehensive evaluation of the regional wastewater treatment facilities serving the Eugene-Springfield metropolitan area.

The 2004 FP built on previous targeted studies, including the 1997 Master Plan, 1997 Biosolids Management Plan, 2001 Wet Weather Flow Management Plan (WWFMP), and the 2003 Management Plan for a dedicated biosolids land application site. The 2004 FP was intended to meet changing regulatory and wet weather flow requirements and to serve the community's wastewater capacity and treatment needs through 2025. Accordingly, the 2004 FP established the CIP project list to provide necessary facility enhancements and expansions over the planning period. The CIP is administered by the City of Springfield for the MWMC. The AMCP implements the projects and activities necessary to maintain functionality, lifespan, and effectiveness of the MWMC facility assets on an ongoing basis. The AMCP is administered by the City of Eugene for the MWMC and consists of three sub-categories:

- Equipment Replacement Program
- Major Rehabilitation Program
- Major Capital Outlay

The MWMC has established these capital programs to achieve the following RWP objectives:

- Compliance with applicable local, state, and federal laws and regulations
- Protection of the health and safety of people and property from exposure to hazardous conditions such as untreated or inadequately treated wastewater
- Provision of adequate capacity to facilitate community growth in the Eugene-Springfield metropolitan area consistent with adopted land use plans
- Construction, operation, and management of the MWMC facilities in a manner that is as cost-effective, efficient, and affordable to the community as possible in the short and long term
- Implementation of the Citizens Advisory Committee recommendations, which represent diverse community interests, values and involvement, and that have been adopted by the Commission as the MWMC's plans and policies
- Mitigation of potential negative impacts of the MWMC facilities on adjacent uses and surrounding neighborhoods (ensuring that the MWMC facilities are "good neighbors" as judged by the community)

Capital Program Funding and Financial Planning Methods and Policies

This annual budget document presents the FY 14-15 CIP Budget, the FY 14-15 AMCP Budget, and 5-Year Capital Plan which includes the CIP and AMCP Capital Plan. The MWMC Capital Program financial planning and funding methods are in accordance with the financial management policies put forth in the MWMC 2005 Financial Management Plan.

Each of the two RWP capital programs relies on funding mechanisms to achieve RWP objectives described above. The CIP is funded primarily through proceeds from revenue bond sales, system development charges, and transfers from the Operating Fund to Capital Reserves. The AMCP is funded through wastewater user fees.

In addition to revenue bond sales, project financing for qualified CIP projects was also secured through the State of Oregon Department of Environmental Quality (DEQ)'s Clean Water State Revolving Fund (CWSRF) loan program. The MWMC secured several CWSRF loan agreements totalling \$20.8 million in 2008, 2009, and 2010. These 20-year loans provide the MWMC below-market interest rates ranging from 0 to 2.77 percent (%), along with additional financial benefits.

Through the CWSRF loan program, loans of \$8,000,000, \$7,500,000, and \$4,000,000 were approved for Tertiary Filtration – Phase 1, Odorous Air Treatment – Phase 1, and Primary Sludge Thickening projects, respectively. Additionally, \$1,279,200 in CWSRF financing was approved for the MWMC for CIP planning efforts.

Of the \$8,000,000 provided through the Tertiary Filtration project loan, \$450,000 is Sponsorship funding allocated for riparian shade tree planting projects to help address the MWMC's pending thermal load obligations. The financing of these watershed-based projects is made available through the CWSRF program Sponsorship Option, which provides funding to the borrower to address nonpoint source water quality solutions through a reduced interest rate. The interest rate reduction allows the MWMC to invest in watershed improvements using money that would have otherwise been paid as interest on the loan.

Of the \$7,500,000 approved loan funding for the Odorous Air Treatment – Phase 1 project, \$4,000,000 was funded through the American Reinvestment and Recovery Act (ARRA, or "Stimulus"). This funding was part of the federal government's economic stimulus program, with loans issued under favorable conditions to stimulate infrastructure and capital project investment. The ARRA funding agreement provided 50% of the loan in forgiven principal, and the remaining 50% of principal payment bearing 0% interest. This resulted in \$2,000,000 of net revenue to the CIP in addition to interest savings.

The RWP's operating fund is maintained to pay for operations, administration, debt service, equipment replacement contributions and capital contributions associated with the RWP. The operating fund derives the majority of its revenue from regional wastewater user fees that are collected by the City of Eugene and City of Springfield from their respective customers. In accordance with the MWMC 2005 Financial Plan, funds remaining in excess of budgeted operational expenditures can be transferred from the operating fund to the Capital Reserve fund. The Capital Reserve accumulates revenue to help fund capital projects, including major rehabilitation, to reduce the amount of borrowing necessary to finance capital projects.

The AMCP consists of three programs managed by the City of Eugene and funded through regional wastewater user fees: The Equipment Replacement Program, which funds replacement of equipment valued at or over \$10,000 but less than \$200,000; The Major Rehabilitation Program, which funds rehabilitation of plant infrastructure such as roof replacements, structure coatings, etc.; and the Major Capital Outlay Program for capital items (new or replacement) with costs greater than \$200,000. The MWMC assets are tracked throughout their lifecycle using asset management tracking software. Based on this information, the three AMCP program annual budgets are established and projected for the 5-Year Capital Plan.

For planning purposes, the MWMC must consider market changes that drive capital project expenditures. Specifically, the MWMC capital plan reflects projected price changes over time that affect the cost of materials and services. Until about 2003, the 20-city average *Engineering News Record Construction Cost Index* (ENRCCI) served as a good predictor for future inflation and was used for projecting the MWMC's construction costs. Accordingly, construction cost projections considered in the 2004 FP were based on January 2004, 20-city average ENRCCI. However, in the period 2004 through 2008, construction inflation accelerated nationally with local construction cost inflation accelerating even faster than the national average. City of Springfield staff identified this trend in 2005 and subsequently modified their inflationary projection methodology accordingly.

In early 2006, the MWMC hired the consulting firm CH2M Hill to perform a comprehensive update of project cost estimates. Following the 2006 update, the RWP's CIP assumed a general price increase of five-percent (5%) per-year over the planning period. However, the MWMC continues to monitor inflationary trends to inform our forecasting of capital improvement costs. Recent construction bidding remains favorable when compared to engineering estimates. Accordingly, based on historical inflationary rates from 2006 through 2013, capital project budgets now reflect a 4% annual inflationary factor in the FY 14-15 Budget and 5-year Capital Plan.

Regional Wastewater Capital Program Status and Budget

CIP Project Status and Budget

The FY 14-15 CIP Budget is comprised of the individual budgets for each of the active (carryover) or starting (new) projects in the first year of the 5-Year Capital Plan. The total of these FY 14-15 project budgets is \$13,266,247. Each capital project represented in the FY 14-15 Budget is described in detail in a CIP project sheet that can be found at the end of this document. Each project sheet provides a description of the project, the project's purpose and driver (the reason for the project), the funding schedule for the project, and the project's expected final cost and cash flow. For those projects that are in progress, a short status report is included on the project sheet.

Completed Capital Projects

In FY 13-14, the following three capital projects are projected to be completed and closed out. No CIP project sheets are included for these projects because there is no expected carryover of project funds to FY 14-15.

- Line Biosolids Lagoon – Phase 4
- Odorous Air Treatment – Phase 2
- Outfall Mixing Zone Study

Carryover Capital Projects

The remaining funding for active capital projects in FY 13-14 is carried forward to the FY 14-15 Budget. The on-going carryover projects are:

- Wet Weather Planning/ Capacity Management Operations and Maintenance (CMOM)
- Facilities Plan Engineering Services
- Influent Pumping and Headworks Expansion*
- Sodium Hypochlorite Conversion
- Primary Sludge Thickening
- Poplar Harvest Management Services MU-1
- Tertiary Filtration – Phase 1*
- Thermal Load Mitigation: Pre-Implementation
- Thermal Load Mitigation: Implementation 1
- Repair/Partial Replacement of Biosolids Force Main
- WPCF Lagoon Removal / Decommissioning

Overall, the budgeting for these projects follows, and is consistent with, the 2006 CH2M Hill estimated cost of the listed capital projects. Landscape design and implementation for the Water Pollution Control Facility is funded through projects identified with an asterisk (*) above.

New Projects

The following new project has been added in the FY 14-15 Capital Budget:

- Increase Digestion Capacity
- Operations and Maintenance Building Improvements

FY 14-15 Capital Budget Summary (Exhibit 12)

Exhibit 12 below displays the adjusted budget and end-of-year expenditure estimates for FY 13-14, the amount of funding projected to be carried over to FY 14-15 and additional funding for existing and/or new projects in FY 14-15.

EXHIBIT 12**Summary of FY 14-15 MWMC Construction Program Capital Budget**

	FY 13-14 ADJUSTED BUDGET	FY 13-14 ESTIMATED ACTUALS	FY 13-14 CARRYOVER TO FY 14-15	NEW FUNDING FOR FY 14-15	TOTAL FY 14-15 BUDGET
Projects to be Completed in FY 13-14					
Line Biosolids Lagoon - Phase 4	2,150,950	1,220,000	0	0	0
Odorous Air - Phase 2	176,555	7,000	0	0	0
Outfall Mixing Zone Study	198,173	198,173	0	0	0
Projects to be Carried Over to FY 14-15					
Wet Weather Planning / CMOM	214,504	118,000	96,504	0	96,504
Facilities Plan Engineering Services	103,310	103,310	0	70,000	70,000
Influent Pumping and Headworks Expansion	304,051	96,000	208,051	0	208,051
Sodium Hypochlorite Conversion	3,233,690	170,000	2,063,690	0	2,063,690
Primary Sludge Thickening	306,504	270,000	36,504	0	36,504
Poplar Harvest Management Services MU-1	261,700	100,000	161,700	0	161,700
Tertiary Filtration - Phase 1	518,882	152,000	200,000	0	200,000
Thermal Load Mitigation: Pre-Implementation	661,143	275,000	275,000	0	275,000
Thermal Load Mitigation: Implementation 1 ⁽¹⁾	617,928	184,000	433,928	0	433,928
Repair/ Replacement of Biosolids Force Main	1,425,870	510,000	915,870	0	915,870
Tertiary Filtration - Phase 2 ⁽²⁾	3,000,000	0	0	0	0
WPCF Lagoon Removal / Decommissioning	1,500,000	295,000	1,205,000	3,500,000	4,705,000
Newly Budgeted Projects for FY 14-15					
Increase Digestion Capacity ⁽³⁾	0	0	0	2,800,000	2,800,000
Operations & Maint Building Improvements	0	0	0	1,300,000	1,300,000
TOTAL	\$14,673,260	\$3,698,483	\$5,596,247	\$7,670,000	\$13,266,247

Notes:

- (1) Thermal Load Mitigation: Implementation 1 budget includes Mill Race Sponsorship (\$200,000) and Cedar Creek Sponsorship (\$250,000).
- (2) The Tertiary Filtration – Phase 2 project was rescheduled to start in FY 17-18 instead of FY 13-14.
- (3) The Increase Digester Capacity project previously paid for a portion of landscape services in FY 11-12 and FY 12-13.

FY 14-15 Asset Management Capital Project Status and Budget**Equipment Replacement Program - Budget**

The FY 14-15 Capital Programs budget includes \$439,400 in Equipment Replacement purchases that are identified on the table below.

Equipment Replacement	
Project Description	FY 14-15 Budget
Lab Mass Spectrometer	165,000
Ammonia Analyzer	70,000
PA Alarm and Security Camera System	57,100
Fleet Replacement	48,600
Variable Frequency Drives	46,700
Electric Motor	40,000
Computer Server Replacement	12,000
Total	\$439,400

Lab Mass Spectrometer. Replacement of 11 year old spectrometer in the main laboratory.

Ammonia Analyzer at Final Treatment. An on-line ammonia analyzer provides for continuous measurement and monitoring of ammonia in the plant effluent. The effluent ammonia concentration values are used for ongoing process control and to verify that the plant is in compliance with the NPDES permit discharge limit for ammonia. The existing analyzer has been in service for 11 years. The new analyzer will provide monitoring capabilities for 10 additional process control parameters.

PA Alarm and Security Camera System. An alarm system project will consist of upgrading audio/visual alarm in event of potential explosive conditions at pretreatment and digester process areas. Replacement is also planned for the camera system which provides remote monitoring of plant processes and assists with security.

Fleet Replacement. Consists of replacement of one pickup truck and one utility vehicle.

Variable Frequency Drives (2) at Secondary Treatment. Provides for replacement of variable frequency drives for two return activated sludge (RAS) pumps. The RAS pumping is a critical function of the activated sludge treatment process. The existing VFD's have been in service for more than 16 years and replacement will improve reliability of critical process equipment.

Electric Motor at Willakenzie Pump Station. The original 300 hp electric motors for the pumps at MWMC's largest pump station are approaching the end of their useful life. One motor will be replaced each year over the next 4 years.

Computer Server Replacement. Scheduled replacement of one network file server.

Major Rehabilitation Program - Budget

The FY 14-15 Capital Programs budget includes \$1,234,000 for Major Rehabilitation projects that are identified on the table below.

Major Rehabilitation	
Project Description	FY 14-15 Budget
Laboratory Rehabilitation	800,000
Air Drying Bed Resurfacing (2 beds)	169,000
Jenbacher Cogeneration Engine Rebuild	100,000
East Bay Interceptor (EBI) Vaults	75,000
Operations/Maintenance Building Improvements	50,000
Grit Chamber Metal Rails Coating	40,000
Total	\$1,234,000

Laboratory Rehabilitation. Replace/repair 30 year old flooring, plumbing, electrical, windows, fume hoods, and counter tops in the north section of the main laboratory.

Air Drying Bed Resurfacing. The biosolids drying process takes place on 13 asphalt drying beds over a 25 acre area. Many of the beds require resurfacing to extend their useful life. In FY 13-14 two beds were resurfaced. In FY 14-15 two additional beds will be resurfaced.

Jenbacher Cogeneration Upper Engine Rebuild. The regional treatment plant's cogeneration system provides power equivalent to approximately 55% of the plant's power needs. Continuous power generation will require a regularly scheduled 20,000 hour engine rebuilding in FY 14-15.

East Bank Interceptor (EBI) Vaults. A prior inspection of the EBI vaults/piping identified exposed reinforcing steel in two vaults. Rehabilitation repairs will be completed to prevent corrosion and premature failure.

Operations/Maintenance Building Improvements. This expenditure will go towards miscellaneous improvements, repairs, and renovations to improve the functionality and usefulness of existing buildings.

Grit Chamber Metal Rails Coating. The regional treatment plant's grit collectors move settled grit which is dewatered and disposed. Two collectors were rebuilt in FY 13-14 and two more will be rebuilt in FY 14-15. Recoating the metal rails of the collectors is a part of this rebuild project.

Major Capital Outlay

There are no requests for Major Capital Outlay funding in FY 14-15

5-Year Capital Plan (Exhibit 13)

For each fiscal planning cycle, only the first year of budget authority is appropriated. The remaining four years of the CIP and AMCP Capital Plans are important and useful for fiscal and work planning purposes. However, it is important to note that the funds in the outer years of the Capital Plan are only planned and not appropriated. Also, the full amount of obligated multi-year project costs is often appropriated in the first year of the project, unless a smaller subset of the project, such as project design, can be identified and funded without budgeting the full estimated project cost. For these multi-year contracts, unspent funds from the first fiscal year will typically be carried over to the next fiscal year until the project is completed. Accordingly, the RWP Capital Plan presented herein is a subsequent extension of the plan presented in the adopted FY 13-14 Budget that has been carried forward by one year. However, changes to the plan typically occur from year to year as more information becomes available. Additionally, RWP staff were further informed by a Partial Facilities Plan Update that was completed in FY 13-14. The Partial Facilities Plan Update included assessments of the following projects using the best available data:

- Increased Digestion Capacity
- Waste Activated Sludge Thickening
- Tertiary Filtration – Phase 2

Based on these assessments, the following changes to the 5-Year Capital Program Plan were made:

- The Increased Digestion Capacity Project was rescheduled to start in FY 14-15 instead of FY 15-16
- The Waste Activated Sludge Thickening Project was rescheduled to start in FY 21-22 instead of FY 15-16
- The Tertiary Filtration – Phase 2 Project was rescheduled to start in FY 17-18 instead of FY 13-14

In addition to the above changes, the planned budgets for all three phases of the MWMC's Thermal Load Mitigation Program (Pre-Implementation, Implementation – Phase 1, and Implementation – Phase 2) have been restructured in this year's Capital Plan to better respond to the changing status of Oregon's temperature standard and that of the Willamette Temperature Total Mass Daily Load (TMDL).

Exhibit 13 displays the MWMC 5-Year Capital Plan programs budget, which includes \$61,569,247 in planned capital projects and \$10,040,600 in planned asset management capital projects for an overall 5-Year Capital Plan Budget of \$71,609,847.

EXHIBIT 13
Regional Wastewater 5-Year Capital Programs

	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	TOTAL
CAPITAL PROJECTS						
Biosolids Management						
Repair / Replacement of Biosolids Force Main	915,870					915,870
Poplar Harvest Management Services MUI	161,700					161,700
Non-Process Facilities and Facilities Planning						
Capacity Mgmt Operations Maint (CMOM)	96,504					96,504
Facility Plan Engineering Services	70,000	70,000	70,000	70,000	70,000	350,000
Comprehensive Facility Plan Update			726,000	762,000		1,488,000
Conveyance Systems						
Influent Pumping & Headworks	208,051					208,051
Plant Performance Improvements						
Sodium Hypochlorite Conversion	2,063,690					2,063,690
Primary Sludge Thickening	36,504					36,504
Tertiary Filtration - Phase 1	200,000					200,000
Tertiary Filtration - Phase 2				2,800,000	7,700,000	10,500,000
WPCF Lagoon Removal / Decommissioning	4,705,000					4,705,000
Thermal Load Mitigation: Pre-Implementation ⁽¹⁾	275,000	200,000				475,000
Thermal Load Mitigation: Implementation 1 ⁽¹⁾	433,928	100,000	484,000	4,600,000	4,581,000	10,198,928
Thermal Load Mitigation: Implementation 2 ⁽¹⁾					2,000,000	2,000,000
Increase Digestion Capacity	2,800,000	6,370,000				9,170,000
Aeration Basin Improvements - Phase 2			2,600,000	5,300,000	5,300,000	13,200,000
Operations & Maintenance Building Improvements ⁽²⁾	1,300,000		4,500,000			5,800,000
TOTAL CAPITAL PROJECTS	13,266,247	6,740,000	8,380,000	13,532,000	19,651,000	61,569,247
ASSET MANAGEMENT						
Equipment Replacement	439,400	1,602,300	843,600	1,026,800	1,748,800	5,660,900
Major Rehab	1,234,000	196,000	840,000	892,700	667,000	3,829,700
Major Capital Outlay			550,000			550,000
TOTAL ASSET MANAGEMENT	1,673,400	1,798,300	2,233,600	1,919,500	2,415,800	10,040,600
TOTAL CAPITAL IMPROVEMENTS	\$14,939,647	\$8,538,300	\$10,613,600	\$15,451,500	\$22,066,800	\$71,609,847

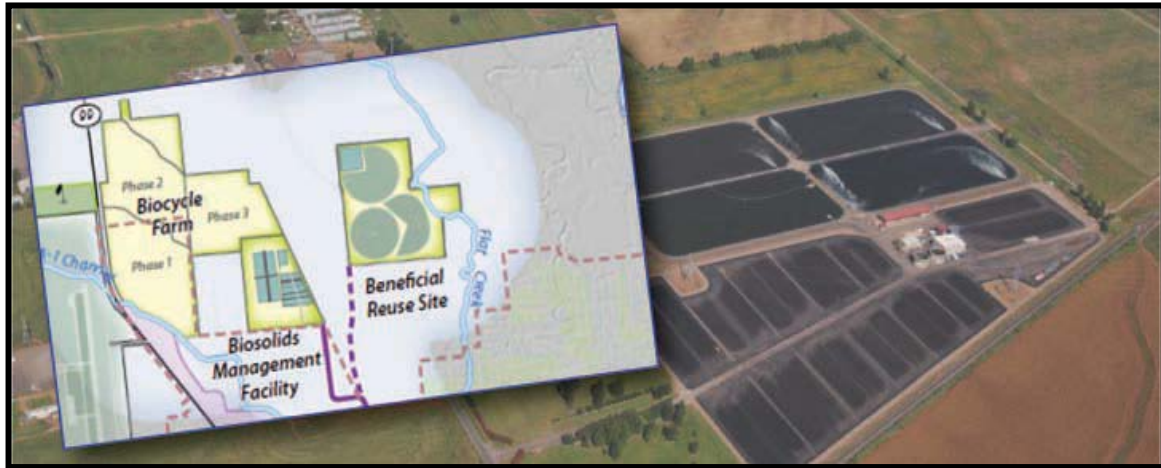
Notes:

- (1) This project represents the transition from Effluent Reuse to a more comprehensive thermal load reduction strategy that includes, but is not limited to, a Recycled Water Program.
- (2) A detailed planning study to determine the scope and budget for this project will be conducted in FY 14-15.

**REGIONAL WASTEWATER
PROGRAM BUDGET**

**CAPITAL PROGRAM
PROJECT SHEETS**

REPAIR AND/OR PARTIAL REPLACEMENT OF BIOSOLIDS FORCE MAIN



Description: Investigate, repair, and/or replace sections of the biosolids force main (piping system) where struvite deposits reduce the pipe diameter and can't be removed by an acid washing method. The existing piping system connects the Water Pollution Control Facility (WPCF) to the Biosolids Management Facility (BMF). A project estimate is \$1.5 million that may require additional funding after further evaluation of the system.

Status: As of January 9, 2014, the project is in the design development phase using consultant services. Construction is anticipated to begin in the summer of 2014.

Justification: Maintain system reliability. The project will rehabilitate portions of the existing MWMC biosolids conveyance system (WPCF to BMF).

Project Driver: Maintain system functionality of the biosolids conveyance system.

Project Trigger: Functionality and capacity issues within the existing pipeline.

Project Type: 100% Rehabilitation

Estimated Project Cost: \$1,500,000

Expected Cash Flow: FY 11-12 = \$364; FY 12-13 = \$73,766; FY 13-14 = \$510,000; FY 14-15 = \$915,870

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14</u> <u>Est. Act.</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$74,130	\$510,000	\$915,870	\$0	\$0	\$0	\$0	\$1,500,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$74,130	\$510,000	\$915,870	\$0	\$0	\$0	\$0	\$1,500,000

POPLAR HARVEST MANAGEMENT SERVICES MU-1



- Description:** This project ensures the completed harvest of Management Unit 1 (MU1) trees before the 12-year rotation limit in spring 2016. MU1 hosts 156 acres of Phase 1 trees planted in 2004.
- Status:** 33% completed. An initial trial harvest of 52 acres was completed in fall 2013 at Year 10 of growth. The remaining 104 acres will be harvested in Years 11 and 12 of growth.
- Justification:** Land use regulatory requirement for operation of the Biocycle Farm.
- Project Driver:** Land Use Compatibility Statement (LUCS) issued by Lane County.
- Project Trigger:** Oregon ORS/OAR and NRCS rules dictating that exclusive farm use lands and farmed wetland status agricultural lands requiring agriculturally managed hybrid poplar plantations must be limited to a 12-year rotation duration.
- Project Type:** 100% Performance
- Improvement SDC Eligibility:** 0%
- Estimated Project Cost:** \$261,700 for initial MU1 harvest and administration.
- Expected Cash Flow:** FY 13-14 = \$100,000; FY 14-15 = \$100,000; FY 15-16 = \$61,700

Expenditure/Category:	Prior Years	<u>Est. Act.</u>						<u>Total</u>
		<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	
Design/Construction	\$0	\$100,000	\$161,000	\$0	\$0	\$0	\$0	\$261,700
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$100,000	\$161,000	\$0	\$0	\$0	\$0	\$261,700

CAPACITY MANAGEMENT, OPERATIONS, AND MAINTENANCE (CMOM)



Description:

This project (formerly identified as the WWFMP Update project) supports and guides ongoing collection system capacity management, operations and maintenance (CMOM) programs to address Inflow and Infiltration (I/I) and sanitary sewer overflows (SSOs). The MWMC's NPDES permit requires wet weather planning and prohibits SSOs. DEQ's SSO Enforcement Internal Management Directive identifies CMOM as an acceptable programmatic approach to help ensure compliance. The MWMC CMOM program provides staff resources and engineering consultant services to support the implementation of CMOM programs owned and operated by the two partner cities within the MWMC's service area (i.e., Eugene and Springfield). The regional support funded through this project provides or supports workshop organization and facilitation, guidance documentation, technical analysis, standards establishment, and CMOM gap analysis assistance.

Status:

Collection system rehabilitation work as identified in the 2001 WWFMP has been completed. The regional collection system hydraulic model has been updated. Regional staff has facilitated workshops and meetings to charter a standard CMOM approach for both partner cities. Both partner cities have completed a CMOM gap analysis to identify the needed effort to implement their respective CMOM programs. The Regional Wastewater Policy Team has approved the MWMC's CMOM framework and guidance documents. CH2M Hill has completed an evaluation of historical collection system flow data to estimate the I/I contributions from each city's collection system.

Project Driver:

Meet new NPDES requirements concerning SSOs, wet weather planning, and I/I reduction through a CMOM program approach.

Project Trigger:

Address NPDES Permit General Conditions requirements related to SSOs and I/I.

Improvement

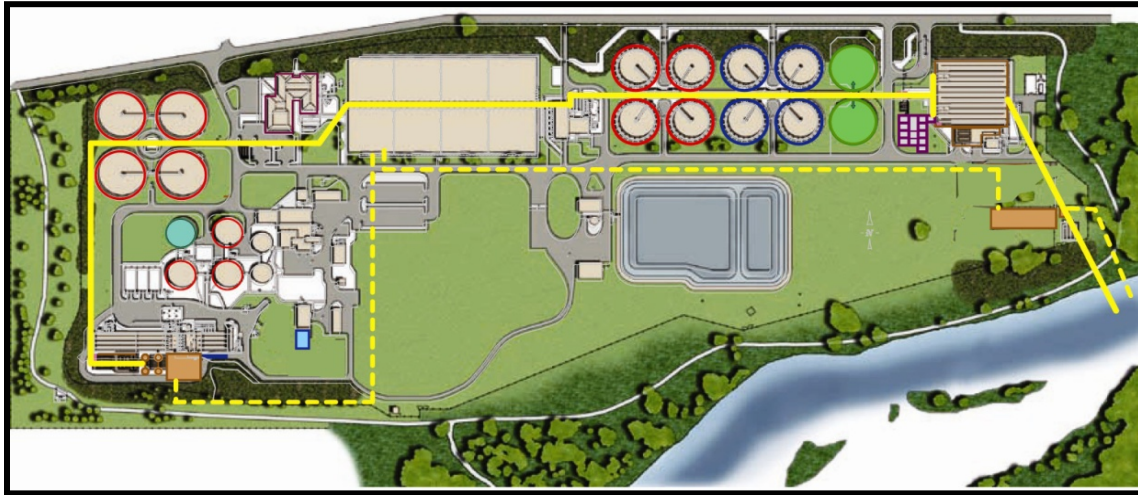
SDC Eligibility: 11%

Estimated Project Cost: \$532,000

Expected Cash Flow: FY 05-06 = \$6,028; FY 06-07 = \$86,895; FY 07-08 = \$42,589; FY 08-09 = \$9,562
 FY 09-10 = \$14,724; FY 10-11 = \$7,538; FY 11-12 = \$26,909; FY 12-13 = \$123,251; FY 13-14 = \$118,000; FY 14-15 = \$96,504

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14</u>		<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
		<u>Est.</u>	<u>Act.</u>						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$317,496	\$ 118,000	\$96,504	\$0	\$0	\$0	\$0	\$0	\$532,000
Total Cost	\$317,496	\$ 118,000	\$96,504	\$0	\$0	\$0	\$0	\$0	\$532,000

FACILITY PLAN ENGINEERING SERVICES



Description: Engineering services for analysis, project definition, cost estimating, and general consultation regarding the 20-Year Facilities Plan.

Status: This year, work included, plant flow and load projection, CIP project prioritization and schedule analysis, and regulatory evaluation and analysis.

Justification: Projects were developed to varying levels of specificity in the 20-Year Facilities Plan and there is an on-going need for on-going technical and engineering resources to help in further refining projects and generally assisting with implementation of the plan. Another need addressed by this resource is assurance that the new improvements maintain the overall integrity of the plant in terms of treatment processes and hydraulics.

Project Driver: On-going goal to efficiently follow and accommodate the upgrades resulting from the 20-Year Facilities Plan.

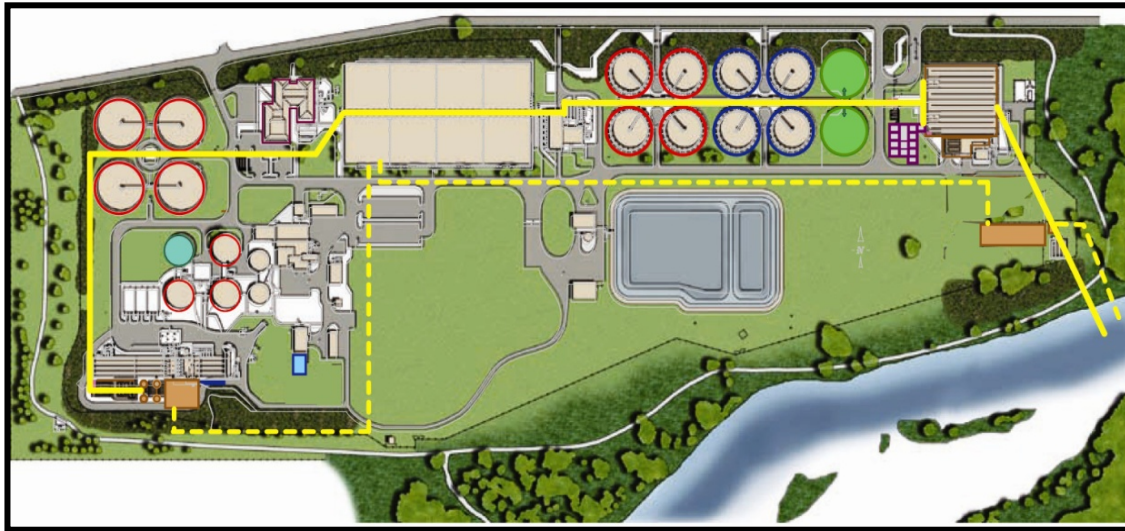
Project Trigger: On-going need.

Estimated Project Cost: \$721,205

Expected Cash Flow: FY 06-07 = \$50,000; FY 07-08 = \$50,044; FY 08-09 = \$25,467; FY 09-10 = \$31,829; FY 10-11 = \$69,419; FY 11-12 = \$8,699; FY 12-13 = \$32,437; FY 13-14 = \$103,310; FY 14-15 = \$70,000; FY 15-16 = \$70,000; FY 16-17 = \$70,000; FY 17-18 = \$70,000; FY 18-19=\$70,000

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$267,895	\$ 103,310	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$721,205
Total Cost	\$267,895	\$103,310	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$721,205

COMPREHENSIVE FACILITIES PLAN



Description: The Comprehensive Facilities Plan effort will consider a 20-year planning horizon and will draw on the most recent plant data, regulatory landscape, and available technology in order to ensure the MWMC continues to meet future regulations, environmental standards, and customer needs.

Status: Planned for future implementation.

Justification: Plan future conveyance and treatment upgrades and/or expansions to meet regulatory requirements, preserve public health and regional water quality standards.

Project Driver: Planning for facilities required to ensure continuing compliance with regulations, and meet customer services expectations in a manner that that will achieve, sustain, and promote balance between community, environmental, and economic needs.

Project Trigger: Planning cycle initiated under the 2004 Facilities Plan and later modified to match evolving NPDES permit renewal schedule, now estimated for 2017.

Project Type: Facilities Plan

Improvement SDC Eligibility: 21%

Estimated Project Cost: \$1,488,000

Expected Cash Flow: FY 16-17 = \$726,000; FY 17-18 = \$762,000

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0	\$726,000	\$762,000	\$0	\$1,488,000
Total Cost	\$0	\$0	\$0	\$0	\$0	\$726,000	\$762,000	\$0	\$1,488,000

INFLUENT PUMPING IMPROVEMENTS AND HEADWORKS EXPANSION



Description: This project provides influent pumping improvements and headworks expansion required to accommodate planning thru year 2025 peak wet weather flow of 277 mgd. Major components include: upgrades to the Willakenzie Pump Station, expansion of the headworks facilities with new screening and grit removal equipment, a new Influent Pump Station at the Water Pollution Control Facility (WPCF), improvements to the regional force main system at two off-site locations, and landscaping upgrades. Due to the time critical nature of this project, it was delivered using a Construction Manager/General Contractor (CM/GC) project delivery process that the Commission approved.

Status: Construction was completed by Wildish at the end of 2009 with some punch list items addressed in 2010. The remaining budgeted project money will help fund improvements to an influent gate system in 2014 and follow up inspection in 2015 of the pipe-liner (warranty work).

Justification: Improved influent pumping and headworks hydraulic capacity are required to increase total plant influent hydraulic capacity to 277 mgd (the forecasted year 2025 peak flow) and to meet redundancy requirements for pumping and screening.

Project Driver: Ability to provide treatment to peak flows and systematic elimination of sanitary sewer overflows by year 2010.

Project Trigger: Collection system computer model estimates the current wet weather peak flow to plant to be 264 mgd. The 2009 upgrades increased the headworks hydraulic capacity from 175 mgd to 277 mgd (peak flows).

Project Type: 100% Capacity

Improvement SDC Eligibility: 38%

Estimated Project Cost: \$28,054,000

Expected Cash Flow: FY 05-06 = \$16,348; FY 06-07 = \$376,293; FY 07-08 = \$2,132,064; FY 08-09 = \$9,644,009; FY 09-10 = 14,950,783; FY 10-11 = \$482,947; FY 11-12 = \$135,300; FY 12-13 = \$12,205; FY 13-14 = \$96,000; FY 14-15 = \$208,051

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$27,749,949	\$96,000	\$208,051	\$0	\$0	\$0	\$0	\$0	\$28,054,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$27,749,949	\$96,000	\$208,051	\$0	\$0	\$0	\$0	\$0	\$28,054,000

SODIUM HYPOCHLORITE CONVERSION



Description: Convert the chlorine gas system to sodium hypochlorite for the base and wet weather flows. Retain the existing chlorine contact basins for the disinfection process. Install new system with capability for high rate disinfection of primary effluent diversion using dosages of sodium hypochlorite into a new contact basin structure. The new contact basin has been split off of this project and was installed by a different MWMC project (Peak Flow Management Improvements), so the budget for that portion of the project has also been moved. Staff included upgrades of the existing recreational vehicle (RV) wastewater dump station to accommodate boat wastewater dumping in the construction bid documents for the sodium hypochlorite conversion project. The boat wastewater dump modification was designed and grant funded by the Oregon State Marine Board that the MWMC approved for implementation at the September 21, 2006, public meeting. The project budget below includes \$80,000 allocated to the project for the boat wastewater dump that was reimbursed by the state agency after construction was completed.

Status: The converted disinfection system has been in operation since March of 2010. Update as of January 3, 2014: The contractor and product provider submitted recommendations in 2013 to change the sodium hypochlorite injection/mixing system that deviated from the construction contract documents and staff rejected the construction submittal. On December 23, 2013, the contractor requested information from staff and the contractor group hopes to develop an acceptable sodium hypochlorite injection/mixing system.

Justification: Liquid sodium hypochlorite and sodium bisulfite system will replace the existing chlorine and sulfur dioxide gas systems and increase the disinfection capacity from 175 mgd to 277 mgd (peak flows). The high rate disinfection of the primary effluent is a key component of the primary/secondary split treatment process, which is needed for meeting peak flow capacity needs of the wastewater treatment plant.

Project Driver: Operator and community safety issues and meeting flow capacity requirements for peak flows and year around final treatment/disinfection.

Project Trigger: Phasing with other related MWMC projects and need to meet peak flow treatment requirements.

Project Type: 50% Capacity; 50% Performance

Improvement SDC Eligibility: 25%

Estimated Project Cost: \$6.8 million (reduced from past budgeting)

Expected Cash Flow: FY 06-07 = \$1,353; FY 07-08 = \$594,520; FY 08-09 = \$3,319,347; FY 09-10 = \$(102,501); FY 10-11 = \$180,326; FY 11-12 = \$385,289; FY 12-13 = \$187,976; FY 13-14 = \$170,000; FY 14-15 = \$2,063,690

Expenditure/Category:	Prior Years	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est. Act.						
Design/Construction	\$4,566,310	\$170,000	\$2,063,690	\$0	\$0	\$0	\$0	\$6,800,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$4,566,310	\$170,000	\$2,063,690	\$0	\$0	\$0	\$0	\$6,800,000

PRIMARY SLUDGE THICKENING



- Description:** Installation of primary sludge gravity thickening facilities with cover, upgrade primary sludge pumping and piping systems, install supernatant overflow pumping and piping, and thickened sludge piping/pumping to digesters. Also, this project helped with funding for the treatment plant landscape improvements required for project permits.
- Status:** As of January 10, 2014, the project team is collecting system performance data for evaluation and reporting to the DEQ related to the Clean Water State Revolving Fund (CWSRF) loan to the MWMC.
- Justification:** Optimize digester capacity and performance through provision of thicker sludge feed. Also to thicken sludge in dedicated tank outside of the primary clarifies to increase primary treatment capacity and avoid washout of solids during peak flow event.
- Project Driver:** Meet Class B biosolids requirements during peak two-week solids loading event with all three existing digesters in service.
- Project Trigger:** Availability of sludge thickening capacity is needed prior to adding a fourth digester.
- Project Type:** 100% Capacity
- Improvement SDC Eligibility:** 65%
- Estimated Project Cost:** \$4,666,665 (Revised budget and the MWMC received a CWSRF loan for the primary sludge thickening project).
- Expected Cash Flow:** FY 07-08 = \$9,730; FY 08-09 = \$40,606; FY 09-10 = \$501,876; FY 10-11 = \$375,533; FY 11-12 = \$2,029,935; FY 12-13 = \$1,402,481; FY 13-14 = \$270,000; FY 14-15 = \$36,504

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14 Est. Act.</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$4,360,161	\$270,000	\$36,504	\$0	\$0	\$0	\$0	\$4,666,665
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$4,360,161	\$270,000	\$36,504	\$0	\$0	\$0	\$0	\$4,666,665

TERTIARY FILTRATION - PHASE 1



Description: The phased work program will install infrastructure/support facilities for 30 mgd of filters for tertiary filtration of secondary treated effluent. The first phase/project only installed filter system technology sufficient for 10 mgd of treatment. Future projects will install the remaining filter technology. Some of the project funding will support the plant-wide landscape upgrades.

Status: As of January 2014, the Tertiary Filtration (Phase 1) project has past the one-year construction warranty phase and the MWMC received DEQ acceptance on September 19, 2013 related to the clean water state revolving fund (CWSRF) loan. Some of the project budget will be supporting the plant-wide landscape agreement in 2013 and 2014.

Justification: Up to 10 mgd of filtration is required in the first phase to meet dry season mass limits, with the need for filtration increasing up to 30 mgd by the end of the planning period (year 2025). The 2004 MWMC Facilities Plan proposes phasing filters on an as-needed basis. Filtration provides high quality secondary effluent and potential Level 4 reuse water. Also, filtration is needed to assist with meeting wet season mass load requirements during peak flow events.

Project Driver: Performance reliability to meet the dry weather NPDES total suspended solids limits of less than 10 mg/L, reuse development, and compliance with effluent limits during peak flow conditions.

Project Trigger: NPDES permit compliance for TSS: Dry weather maximum month flow in excess of 49 mgd. Also, initially to provide higher quality effluent so that reuse options can be developed.

Improvement SDC Eligibility: 42%

Estimated Project Cost: Additional budget reduction from \$11,500,000 (through June 30, 2013) to \$9,618,774 (Note: Part of the project money will support the treatment plant landscape upgrades. Also, MWMC received a DEQ clean water state revolving fund (CWSRF) loan for the tertiary filtration project).

Expected Cash Flow: FY 07-08 = \$236,186; FY 08-09 = \$554,241; FY 09-10 = \$647,844; FY 10-11 = \$3,534,429; FY 11-12 = \$4,097,956; FY 12-13 = \$196,118; FY 13-14 = \$152,000; FY 14-15 = \$200,000 (design, construction, landscape, administration, etc.)

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$9,266,774	\$152,000	\$200,000	\$0	\$0	\$0	\$0	\$0	\$9,618,774
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$9,266,774	\$152,000	\$200,000	\$0	\$0	\$0	\$0	\$0	\$9,618,774

TERTIARY FILTRATION - PHASE 2



Description: The phased work program will install infrastructure/support facilities for 30 mgd of filters for tertiary filtration of secondary treated effluent. Phase 2 is planned to install filter system technology sufficient for another 10 mgd of treatment that will increase the total filtration capacity to 20 mgd. The Phase 3 project will install the remaining filtration technology to meet the capacity needs identified in the 2004 MWMC Facilities Plan.

Status: Tertiary Filtration (Phase 2) project is anticipated to start design development in fiscal year 17-18. The MWMC has an existing equipment agreement (ending October 2017) to allow for additional filtration equipment at a defined price.

Justification: The 2004 MWMC Facilities Plan proposes phasing filters on a phased work program. Filtration provides high quality secondary effluent to help meet permit requirements and potential Level 4 reuse water.

Project Driver: Performance reliability to meet the dry weather NPDES total suspended solids limits of less than 10 mg/L, reuse development, and compliance with effluent limits during peak flow conditions.

Project Trigger: NPDES permit compliance for total suspended solids (TSS): Dry weather maximum month flow in excess of 49 mgd. Also, provide higher quality effluent so that reuse can be developed.

Improvement SDC Eligibility: 41.6%

Estimated Project Cost: \$10,500,000

Expected Cash Flow: FY 17-18 = \$1,600,000; FY 18-19 = \$4,600,000; FY 19-20 = \$4,300,000

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$2,800,000	\$7,700,000	\$10,500,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$0	\$0	\$0	\$0	\$2,800,000	\$7,700,000	\$10,500,000

WPCF ONSITE LAGOON



Description: This project decommissions the existing biosolids lagoon at the Water Pollution Control Facility (WPCF) and adds solids handling facilities to manage biosolids during digester cleaning events.

Status: As of January 8, 2014: Planning stage. Staff plans to seek consultant services for the MWMC in 2014.

Justification: The lagoon was constructed in 1979 as a temporary biosolids storage facility while the Biosolids Management Facility was under construction. Since that time it has also served as a temporary storage lagoon to support digester cleaning operations. However, the lagoon no longer serves the purpose for which it was originally constructed and does not meet current design standards for wastewater lagoons.

Project Driver: The lagoon can no longer provide the biosolids capacity for which it was intended nor cost effectively continue to support digester cleaning operations. The lagoon is almost full of accumulated rainwater and residual solids. Therefore, the decision was made to decommission the lagoon and provide up to date facilities to support digester cleaning operations.

Project Trigger: The WPCF lagoon no longer functions as originally designed.

Estimated Project Cost: \$5,000,000

Improvement SDC Eligibility: Not applicable

Expected Cash Flow: FY 13-14 = \$295,000; FY 14-15 = \$3,400,000; FY 15-16 = \$1,305,000

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$0	\$295,000	\$4,705,000	\$0	\$0	\$0	\$0	\$0	\$5,000,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$295,000	\$4,705,000	\$0	\$0	\$0	\$0	\$0	\$5,000,000

THERMAL LOAD MITIGATION PRE-IMPLEMENTATION



Description: This project includes the phased recycled water planning effort and feasibility studies, study and planning of associated thermal load mitigation measures such as riparian shading and water quality trading credit activities, and permit negotiation and legal strategy related to the temperature TMDL and NPDES permit renewal.

Status: Currently in feasibility study and assessment of conceptual recycled water use projects and ongoing permit and TMDL compliance coordination.

Justification: Provides planning of infrastructure, projects, and collaborative agreements needed so that thermal loads are reduced on the Willamette River while providing additional environmental and community benefits.

Project Driver: Address NPDES permit thermal load compliance related to Willamette River total maximum daily loads (TMDL) temperature requirements.

Project Trigger: Compliance with Oregon DEQ TMDL settlement requirement.

Project Type: 100% Performance

Improvement SDC Eligibility: 26%

Estimated Project Cost: \$750,000

Expected Cash Flow: FY 13-14 = \$ 275,000; FY 14-15 =\$200,000; FY 15-16=\$125,000; FY 16-17=\$85,000; FY 17-18=\$40,000; FY 18-19=\$25,000

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14</u> <u>Est. Act.</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$275,000	\$275,000	\$ 200,000	\$0	\$0	\$0	\$750,000
Total Cost	\$0	\$275,000	\$275,000	\$200,000	\$0	\$0	\$0	\$750,000

THERMAL LOAD MITIGATION – IMPLEMENTATION 1



Description: This project implements thermal load mitigation projects strategized for regulatory compliance and additional environmental and community benefits. The projects may include recycled water use expansion at MWMC and/or community partner facilities, riparian shade projects (initially being implemented on Cedar Creek and Springfield Mill Race), and potentially water quality trading credit strategies through shade credit investments and collaborative partnerships for permit compliance.

The recycled water projects under consideration include: Class D storage and use at the Biocycle Farm and Beneficial Reuse Site and Class C industrial use at neighboring aggregate company facilities. Project components may include additional treatment, disinfection, pumping, pipeline, and distribution/irrigation systems.

Status: Riparian shade projects are currently being implemented under a 25-year contract agreement with The Freshwater Trust. Additional construction needs are being evaluated under the Thermal Load Mitigation: Pre-Implementation Project.

Justification: Implementation of the thermal load compliance strategy developed under pre-implementation planning phase.

Project Driver: Address NPDES permit thermal load compliance related to Willamette River total maximum daily loads (TMDL) temperature requirements.

Project Trigger: Compliance with Oregon DEQ TMDL settlement requirement

Project Type: 100% Performance

Improvement SDC Eligibility: 26%

Estimated Project Cost: \$10,382,000

Expected Cash Flow: FY 13-14 = \$184,000; FY 14-15 = \$320,000; FY 15-16 = \$50,000; FY 16-17 = \$650,000; FY 17-18 = \$4,500,000; FY 18-19 = \$4,678,000

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14 Est. Act.</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$0	\$184,000	\$433,000	\$100,000	\$484,000	\$4,600,000	\$4,581,000	\$10,382,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$184,000	\$433,000	\$100,000	\$484,000	\$4,600,000	\$4,581,000	\$10,382,000

THERMAL LOAD MITIGATION – IMPLEMENTATION 2



Description: This project anticipates future expansion of recycled water uses, riparian restoration, and/or other thermal load and watershed management strategies for regulatory compliance and environmental and community benefits. These projects are subject to the outcomes of the regulatory scenarios and goals associated with changing conditions of TMDL implementation, community and climatic factors, and emerging water quality/quantity needs.

Status: To be planned.

Justification: Ongoing fulfillment of thermal load mitigation strategic plans.

Project Driver: Address NPDES permit thermal load compliance related to Willamette River total maximum daily loads (TMDL) temperature requirements, other emerging water quality regulatory drivers, and community needs.

Project Trigger: Compliance with NPDES discharge permit.

Project Type: 100% Performance

Improvement SDC Eligibility: 26%

Estimated Project Cost: \$2,000,000 (plus up to \$15,000,000 anticipated project need in the out-years FY 19-20 and beyond for a total project cost of \$17,000,000).

Expected Cash Flow: FY 18-19 = \$2,000,000

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14</u> <u>Est. Act</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$2,000,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$2,000,000

INCREASE DIGESTION CAPACITY



Description: Installation of a fourth digester for expanded production of Class B biosolids. This project also included supporting the plant-wide landscaping construction work that was completed in December of 2012.

Status: Update as of January 29, 2014, the project to Increase Digestion Capacity is anticipated to start the design development phase by 2015. The MWMC has three existing digesters.

Justification: Continue to meet the requirements for Class B digestion with the ability to take one digester out of service for cleaning and/or repairs.

Project Driver: Addresses anaerobic digestion capacity needs. The 2004 MWMC Facilities Plan considers an option to upgrade the existing digestion process to meet Class A biosolids standards as a strategy to secure a wider range of beneficial end-use options and increase program flexibility. Since that time, the MWMC has effectively expanded beneficial application of Class B biosolids with expansion of the Biocycle Poplar Farm, and through working with private sector end-users.

Project Trigger: Recent observations indicate that expanded digestion facilities will not be needed before 2017 or perhaps later. This project will take a few years to design and construct. The project trigger depends on projected loading and other factors including the effectiveness of new primary sludge thickening process, and digester cleaning protocols and schedules.

Improvement SDC Eligibility: 54.3%

Estimated Project Cost: \$9,353,170 (The estimated cost was adjusted.)

Expected Cash Flow: FY 11-12 = \$139,028; FY 12-13 = \$44,142; FY 13-14 = \$0; FY 14-15 = \$620,000
FY 15-16 = \$1,200,000; FY 16-17 = 3,000,000; FY 17-18 = 4,100,000;
FY 18-19 = 250,000

enditure/Category:	Exp Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$183,170	\$0		\$2,800,000	\$6,370,000	\$0	\$0	\$0	\$9,353,170
Other	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$183,170	\$0		\$2,800,000	\$6,370,000	\$0	\$0	\$0	\$9,353,170

AERATION BASIN IMPROVEMENTS – PHASE 2



Description: Aeration Basin (Phase 2): Add step feed, anoxic selectors, and fine bubble diffusers to 4 of the 8 cells of the aeration basins and make hydraulic improvements. This project was originally the North Aeration Basin Improvements project; however the Phase 1 study/design phase showed that improvements to the 4 eastern most basins as a first phase would allow for better hydraulics and more operational flexibility.

Status: The Aeration Basin (Phase 2) project is anticipated to start design development in 2016.

Justification: Increase the dry weather aeration basin treatment capacity with respect to ammonia (with nitrification) and increase the wet weather treatment capacity.

Project Driver: National Pollution Discharge Elimination System (NPDES) permit includes ammonia limit requiring nitrification in dry weather and expansion of wet weather capacity to treat wet weather flows to meet NPDES permit monthly and weekly suspended solids limits.

Project Trigger: Address water quality requirements (need to evaluate the requirements based on the MWMC NPDES permit renewal).

Project Type: 50% Capacity; 50%Performance

Improvement SDC Eligibility: 58.7%

Estimated Project Cost: \$13,200,000

Expected Cash Flow: FY 16-17 = \$1,600,000; FY 17-18 = \$6,000,000; FY 18-19 = \$5,600,000

Expenditure/Category:	Prior Years	2013-14		2014-15	2015-16	2016-17	2017-18	2018-19	Total
		Est.	Act.						
Design/Construction	\$0	\$0	\$0	\$0	\$0	\$2,600,000	\$5,300,000	\$5,300,000	\$13,200,000
Other	\$0	0	0	0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$0	\$0	\$0	\$2,600,000	\$5,300,000	\$5,300,000	\$13,200,000

OPERATIONS & MAINTENANCE BUILDING IMPROVEMENTS



Operations Building



Maintenance Building
Aerial



Maintenance Building



ISC Modular Building

Description: Update and expand the Maintenance Building and the Operations Building at the Water Pollution Control Facility (WPCF). Construct new building to replace the existing temporary Industrial Source Control (ISC) modular office building.

Status: This MWMC project sheet was created as a placeholder in preparation to further develop this project. In 2013, a consultant study provided a preliminary analysis. Staff needs to further develop the project scope of work, project budget, and anticipated schedule for each phase of work (planning/design/bidding/construction/warranty).

Justification: The original design for the Operations Building at the WPCF was completed in 1978. Since that time, use of the operations and maintenance (O&M) buildings have changed substantially due to modifications in the workforce, advancing technology, regulatory changes, and an increase in staff from 51 to 78 full-time-equivalents (FTE). The temporary ISC modular building was installed in 1996 and is in poor condition.

Project Driver: The MWMC continues to implement improvements identified in the 2004 Facilities Plan. The need to update and/or upgrade the existing O&M facilities is driven by changes in the wastewater/environmental business since the original MWMC construction that occurred in the early 1980's.

Project Trigger: As needed, due to expansion and changes related to the MWMC facilities.

Estimated Project Cost: To be determined during the project scoping phase (planning estimates as follows)

- Maintenance Building improvements: \$2.5 million
- Admin/Operations Building improvements: \$1.0 million
- Modular Building replacement: \$2.3 million

Improvement SDC Eligibility: To be determined

Expected Cash Flow: FY 14-15 = \$1,000,000; FY 15-16 = \$300,000; FY 16-17 = \$2,500,000; FY 17-18 = \$2,000,000 (estimated cash flow)

<u>Expenditure/Category:</u>	<u>Prior Years</u>	<u>2013-14 Est. Act.</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>Total</u>
Design/Construction	\$0	\$0	\$1,300,000	\$0	\$4,500,000	\$0	\$0	\$5,800,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost	\$0	\$0	\$1,300,000	\$0	\$4,500,000	\$0	\$0	\$5,800,000

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Fireworks

Meeting Date: May 12, 2014

Department: Fire; Police

www.eugene-or.gov

Agenda Item Number: 4

Staff Contact: Al Gerard; Scott Fellman

Contact Telephone Number: 541-726-2294; 541-682-5114

ISSUE STATEMENT

The City Council previously discussed the issue of fireworks possession and discharge in the City of Eugene on January 27, 2014, (see Attachment A – 1/27/2014 AIS). During the work session, the council requested additional information which was provided in a memorandum dated March 26, 2014, (see attachment B – 3/26/2014 memorandum). A public safety task team, comprised of personnel from Police and Fire, is now returning to the council with a range of options for public information, enhanced regulation and enforcement of existing laws pertaining to illegal and legal fireworks usage in the City. The goal is to reduce the adverse impacts and danger associated with fireworks discharge within the community.

BACKGROUND

The discharge of fireworks within the City of Eugene has progressively become a bigger issue of concern with the occurrence of these disturbances becoming more common. At the January 27 council work session, the council expressed concern over the state of this situation and requested additional information. A staff response to these questions was provided by memo on March 26, and since that time, additional conversations have taken place among staff in an attempt to refine potential strategies. These conversations included Judge Wayne Allen of the Eugene Municipal Court concerning appropriate penalties under existing statutes. From these discussions, staff has developed a public information option as well as a phased-in or graduated approach to enforcement for the council to consider.

COUNCIL OPTIONS

Staff has identified a strategy to educate and inform the community on the positive and negative effects of the use of fireworks. They have also identified an option list that the council can choose from to tailor the level of actions that the council would like the Police and Fire departments to engage in to address the issue and will present the options as a menu of actions with identified intended benefits as follows:

Option	Intended outcome	Explanation	Cost	Council action required
1. Include fireworks usage as a component of the Social Host Ordinance	Deter usage of fireworks and alcohol together in party settings.	Add unlawful use of fireworks to the list of offenses that, along with one other offense (e.g. noise disturbance, harassment, littering) and consumption of alcohol at the party, may trigger the social host liability	\$0	Amend the Social Host Ordinance
2. Limited enhanced enforcement of fireworks laws	Enforcement action to begin to eliminate widespread use and possession of illegal fireworks	Apply enforcement for existing and/or proposed fireworks laws for one day	\$13,500 in first year	Approve/provide funding: \$13,510
3. Illegal fireworks turn-in event	An event that allows community members to safely dispose of illegal fireworks in response to increased media attention and advertised law enforcement	Immunity for people turning in illegal fireworks, safe disposal of illegal fireworks (at a designated fire station)	2 Explosives Disposal Unit Technicians: \$ 800 one Deputy Fire Marshal : \$400	Approve/provide funding: \$1200
4. Public education campaign	Educate the community on the negative effects of fireworks usage		\$ 35,000	Approve/provide funding:
5. Limit usage period to July 3,4,5, and Dec 31, Jan 1 only	Limits impact of excessive and loud concussive or disturbing noise from fireworks to a predictable time period. Promotes compliance with noise ordinance	Veterans with PTSD, pets, elderly, wildlife, livestock all experience negative impacts. This action will at least limit impacts to predictable time frames	\$0, although increased calls for service and opportunities for enforcement will result	Adopt Ordinance

The council can choose to apply any or all options based on the perception of need to address

the issue.

It will require a multi-year and multi-phase approach to make any significant changes to the current process for managing the sale and discharge of fireworks. Progress can be monitored and then the issue can be revisited again next year.

CITY MANAGER'S RECOMMENDATION

The City Manager's recommendation is to schedule public hearings on the two draft ordinances and to focus this year's efforts on public education and targeted enforcement of current law on illegal fireworks.

SUGGESTED MOTION(s)

1. Move to amend the Social Host Ordinance to include unlawful fireworks usage as part of the list of offenses that may trigger the social host liability. (See Attachment 3.)
2. Move to limit the usage of all fireworks to the following days: January 1; July 3, 4, and 5, and December 31. (See Attachment 4)
3. Move to provide additional funding to the Police and Fire Department in the amount prescribed in the table above for public education and enforcement.

ATTACHMENTS

- A. Agenda Item Summary: "Fireworks Work Session" January 27,2014
- B. Memorandum on Fireworks, March 26,2014 - Work Session Response
- C. Draft Ordinance Concerning Unruly Gatherings and Amending Section 4.670 of the Eugene Code, 1971
- D. Draft Ordinance Concerning Restrictions on Fireworks

FOR MORE INFORMATION

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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Fireworks Work Session

Meeting Date: January 27, 2014
Department: Fire and Police
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Al Gerard & Scott Fellman
Contact Telephone Number: 541-726-2294 & 541-682-5114

ISSUE STATEMENT

City Council has requested information regarding the City's ability to manage the sale and use of fireworks. Impacts from the pervasive use of fireworks include the risk of injuries and property damages from fires, and the noise generated from them disrupts the quality of life for animals, senior citizens, military veterans, refugees, and community members at large. The purpose of this work session is to provide City Council with information on a series of options for consideration. We believe it will require a multi-year and multi-phase approach to make any significant changes to the community behavior relating to the sale and use of fireworks.

BACKGROUND

For Eugene, the purchase and use of Oregon legal fireworks is regulated through the Eugene Fire Code. The state regulates fireworks for storage, public viewing events and public use. There have been no local amendments to the Oregon Fire Code, therefore, ORS 480.110 through 480.165, and OAR 837-12-0600 through 837-12-0675, govern fireworks sales, storage and use, public display, and retail sales respectively, and apply in their entirety within the city of Eugene.

Retail sales of permitted fireworks and related products occur within the city of Eugene from June 23rd through July 6th each year. After that period, sales cease and all unsold items must be returned to the wholesaler. All retail sales locations in the city are inspected by Eugene Springfield Fire Marshal's Office staff. Annually, there are about 43 retail outlets permitted and inspected, of which 28 are in Eugene and 15 are in Springfield. There are no state or local time restrictions on the use of Oregon legal fireworks. Authorized public displays also generate a variety of noise complaints and impact the quality of life for many residents.

Enforcement on the use of illegal fireworks in Eugene is handled by the Eugene Police Department. Additionally, the enforcement of this prohibition has been previously identified as a regional issue. As a result of the 8:0 vote at the last City Council Work Session regarding fireworks on May 27, 2008, staff from Eugene Springfield Fire, Eugene Police, Lane County Sheriff, Lane Rural Fire Protection, and the State Fire Marshal's Office met in September of 2008 to discuss a regional approach to this issue, and a summary report of the results of that

meeting is attached. Also attached, is a Fireworks Safety Memorandum from the Fire and Police Chiefs dated June 24, 2009. Following is some additional information, and details on options for City Council to consider.

Legal Fireworks verses Illegal Fireworks

Legal fireworks may be purchased only from Oregon permitted fireworks retailers and stands. Oregon law bans possession, use or sale of fireworks that fly, explode or travel more than six feet on the ground or 12 inches in the air (e.g., firecrackers, bottle rockets, M-80's and similar devices).

Approaches by Other Communities

Following are a few examples of increased enforcement, as well as enhanced public education and public information efforts in other communities:

- A July 9, 2013 Portland Tribune article reported that over this past the Fourth of July holiday, Portland, OR Police and Portland Fire & Rescue partnered to create dedicated teams of Police Officers and Deputy Fire Marshals to increase their enforcement efforts against illegal fireworks. This increased enforcement in addition to enhanced public education efforts resulted in 135 citations with a total fine amount of \$70,500, in comparison to 2012, when 121 citations worth \$26,000 were written.¹
- The Fire Marshal's Office for Prince William County, VA Department of Fire and Rescue has implemented a Fireworks Enforcement Campaign to stop possession and use of illegal fireworks. Similar to Portland, personnel from the Fire Marshal's Office partner with Police Officers to enhance public education and information efforts, as well as enforcement. In Prince William County, the discharge of illegal fireworks is a Class 1 misdemeanor punishable by fines up to \$2,500 and or up to one year in jail.²
- Under Municipal Code 15.28-070(C), the City of Ashland, OR prohibits the use of retail fireworks year-round. More information can be found on their website at: http://www.pwcgov.org/government/dept/FR/Pages/PR_Zero-Tolerance-for-Illegal-Fireworks.aspx.

Statutory Fines Currently in Place

The following ORS related to fireworks enforcement with maximum penalties:

- ORS 480.120 Unlawful Sale/Possession of Fireworks (Class B Misd) 6months jail, \$2,500
- ORS 164.315 Arson I/II (Class A/C Felony) 20 years prison, \$375,000/ 5 years, \$125,000
- ORS 164.335 Reckless Burning (Class A Misdemeanor) 1 year jail, \$6,250
- ORS 164.365 Criminal Mischief 1 (Class C Felony) 5 years, \$125,000
- ORS 166.384 Manufacture of a Destructive Device (Class C Felony) 5 years, \$125,000
- ORS 166.382 Possession of a Destructive Device (Class C Felony) 5 years, \$125,000

Public Education Campaigns

¹ <http://www.pamplinmedia.com/pt/9-news/156226-citations-increase-for-illegal-fireworks>

² http://www.pwcgov.org/government/dept/FR/Pages/PR_Zero-Tolerance-for-Illegal-Fireworks.aspx

For next year we will continue with an active public education campaign within existing departmental resources.

Challenges with Enforcing Discharges of Illegal Fireworks

The greatest challenge will be to overcome entrenched community behaviors that have developed through years of permissiveness relating to fireworks use. Enforcement on discharges of illegal fireworks would require resources from both the Police and Fire Departments. Police would need to be available to assist in confrontational situations, which can be frequent when confiscating fireworks from individuals or parties. Citations should be issued when an individual is using illegal fireworks or is in the possession of illegal fireworks.

If banning the public use of fireworks in Eugene is proposed, a city Ordinance will need to detail the following:

- That the public use of fireworks is illegal.
- That the use of fireworks for public display is permitted only when done in compliance with State and local permitting requirements and pyrotechnic licensing regulations.
- Whether the illegal use of fireworks should be an infraction, misdemeanor or if it only qualifies for the issuance of a citation.
- Identify a fine structure for 1st offence, 2nd offence, and 3rd offence for citations.

Following are other factors to consider for supporting a proposed Ordinance to ban the use of fireworks in Eugene, and how to enforce new regulations:

1. Is funding available for additional personnel to respond to fireworks complaints?
2. Will the public support the proposal?
3. Will fire and injury loss statistics, and costs associated to emergency response support the proposed ban?

Current enforcement and prevention activities include the Oregon State Fire Marshal's Office working with the U.S. Postal Service and other private parcel carriers to identify, confiscate and take enforcement actions on illegal shipments through the U.S. Mail. In addition, the Fire Department responds locally to suspicious shipments identified by the U.S. Postal Service, as well as other private parcel carriers and appropriate enforcement actions are taken against violators. During the evening hours of July 3rd and 4th each year, all fire suppression companies are detailed to tour their respective areas, serving as a deterrent to inappropriate behaviors.

Enforcement Efforts

A limitation on the discharge period for legal fireworks, other than public displays permitted by the City, to December 31, January 1, July 4, and July 5 of each calendar year would help support enforcement for the majority of the year. In addition, there are two approaches available to the city for more restrictive regulation of fireworks. Both approaches are detailed in the City Code as listed below:

1. Section 2.019(1) authorizes the City Manager or designee to adopt rules for implementation. This is generally a several month process.
2. Section 2.019(6) authorizes the City Manager or designee to adopt an emergency rule without prior notice or hearing. The City Manager must issue: 1) A statement of findings that a failure to act will result in serious prejudice to public interest; 2) A citation of the city's legal authority; 3) A statement of need for the rule; and 4) A list of principle documents relied upon by the city in considering the need for the rule. The rule is effective for a limit of 180 days.

RELATED CITY POLICIES

This topic relates to the following City policies:

- City Code Section 2.019 (1) authorizes the City Manager or designee to adopt rules for implementation. This is generally a several month process.
- City Code Section 2.019 (5) authorizes the City Manager or designee to adopt an emergency rule without prior notice or hearing. The City Manager must issue: 1) A statement of findings that a failure to act will result in serious prejudice to public interest; 2) A citation of the City's legal authority; 3) A statement of need for the rule; and 4) A list of principle documents relied upon by the City in considering the need for the rule. The rule is effective for a limit of 180 days.

COUNCIL OPTIONS

Develop an ordinance that limits the discharge of fireworks during a specific period of time or prohibits the discharge of fireworks.

CITY MANAGER'S RECOMMENDATION

The City Manager's recommendation is to move forward with the suggested motion. It will require a multi-year and multi-phase approach to make any significant changes to the current process for managing the sale and discharge of fireworks. We can monitor progress and then revisit the issue again next year.

SUGGESTED MOTION

To direct the City Manager to bring back for public hearing an ordinance that limits the discharge of fireworks, other than public displays permitted by the City, to December 31, January 1, July 4 and July 5 of each year.

ATTACHMENTS

- A. Report outlining recent fireworks issues throughout Oregon and Washington.
- B. September 18, 2008 Metro Area Law Enforcement and Fire Service Fireworks Workshop Report
- C. June 24, 2009 Fireworks Safety Memorandum from Fire Chief and Police Chief

FOR MORE INFORMATION

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 Telephone: 541-726-2294
 Staff E-Mail: agerard@springfield-or.gov

Staff Contact: Scott Fellman, Lieutenant
 Telephone: 541-682-5114
 Staff E-Mail: scott.r.fellman@ci.eugene.or.us



MEMORANDUM

DATE: March 26, 2014

TO: Mayor Kitty Piercy and City Council Members

FROM: Al Gerard, Eugene Springfield Fire Marshal (541-726-2294)
Scott Fellman, Eugene Police Lieutenant (541-682-5114)

SUBJECT: **FIREWORKS WORK SESSION RESPONSE**

Fire Marshal Al Gerard and Lieutenant Scott Fellman presented the City Council with information regarding the City's ability to manage the sale and use of fireworks on January 27, 2014. That work session generated several questions from council members. This memo is in response to those questions and issues that were brought up during that work session.

Technology Component

A couple of comments were made regarding the possibility of adding a technology component in order to assist with tracking the instances of illegal fireworks usage. Currently, due to the lack of officers available for enforcement, all fireworks related complaints are logged into one computer aided dispatch (CAD) log. For the future, the calls could be separated into separate CAD logs which would allow for better tracking of statistics as to the number and location of fireworks related incidents. In addition, if the direction were chosen to begin investigating these complaints, each call would need to be placed on its own CAD log so the investigating officers would be able to follow up on each complaint. If each call were to be logged individually, it would require an increase of Central Lane Communications Center (911 Center) staffing to be on shift during the peak call periods, which historically have been July 3 and 4 of each year.

Banned Fireworks Program in Ashland

Assistant Fire Marshal Doug Perry made contact with Margueritte Hickman, Fire Marshal for the City of Ashland, regarding their banned fireworks program. There was a lot of community support for the total ban of the use and sale of fireworks within the City of Ashland. Since the ban was implemented in 2009, there was a surge of compliance in 2010 and 2011. However, the level of compliance dropped in 2012 and then surged again in 2013. During this same period of time, the City of Medford repealed their fireworks ban

as unenforceable and the City of Ashland did not see any reduction in the use of illegal fireworks after the ban was approved.

Increase of Fines/Issuance of Citations

Several comments included the desire to increase the fine amounts for firework citations. Currently, there is ORS 480.120, a Class B Misdemeanor for unlawful sale or possession of fireworks which carries a maximum fine is \$2,500.00 and/or six months in jail. There have been nine Class B Misdemeanor citations issued in the past three years. These citations did little to abate the use of illegal fireworks due to the lack of law enforcement officers to issue additional necessary citations. Lieutenant Fellman and city attorney Jerry Lidz have agreed to meet with Municipal Court Judges to determine what the base fine would be if there were officers available to issue additional citations. Basically, the increase in fines is not at issue, it is the enforcement of the existing laws that is at issue.

City Council Creation of an Ordinance

At this time, City Council does not have the authority to increase the maximum fines imposed on fireworks citations. Since the amount of the fine is not at issue, there is no reason to increase the fines. The City Council does, however, have the authority to impose an ordinance that restricts the use of fireworks inside the city limits by either banning their use or restricting the period of time that fireworks may be discharged. If a new ordinance is created, staff would work with Municipal Court judges on the implementation of the new ordinance. A new ordinance would not be needed in order to cite citizens into Municipal Court since the unlawful sale or possession of fireworks is a Class B Misdemeanor and is already cited into Municipal Court. One suggestion is to include fireworks as part of the Social Host ordinance.

Increase Permit Fees

The Eugene Springfield Fire Marshal's Office currently charges \$225 per permit for public displays, of which there are only 3 - 4 issued each year. Even if those fees were doubled, it would not generate enough revenue to cover the overtime costs needed to enforce the fireworks laws that are currently in effect. In addition, if the fees were increased, it could impact the public displays and could cause them to be discontinued, which the department would like to avoid.

Use of Volunteers for Enforcement – Similar to “Party Patrol”

Public education of the discharge of legal fireworks, the laws surrounding the discharge and possession of illegal fireworks and the ramifications of the discharge of all fireworks is an important aspect in controlling fireworks in Eugene. However, public education is only one component of the resources that are needed to bring this issue under control. The biggest challenge in reducing the discharge period for legal fireworks and preventing the discharge of illegal fireworks is the lack of resources available to enforce the laws that are already enacted. The police and fire departments do not have the resources available to respond to each violation of the laws regulating possession and discharge of fireworks. This lack of resources allows citizens to break the law without fear of reprisal. Utilizing a group to patrol area neighborhoods was one suggestion to help with enforcement. However, EPD does not feel comfortable asking their Volunteers in Policing (VIP) participants to engage members of the public in this type of enforcement. Enforcement of law needs to be conducted by law enforcement officers who are trained and skilled at enforcement.

Current Statutes with Maximum Penalties:

- ORS 480.120 Unlawful Sale/Possession of Fireworks (Class B Misd) 6months jail, \$2,500
 - This is cited into Municipal Court
- ORS 164.315 Arson I/II (Class A/C Felony) 20 years prison, \$375,000/ 5 years, \$125,000
- ORS 164.335 Reckless Burning (Class A Misdemeanor) 1 year jail, \$6,250
- ORS 164.365 Criminal Mischief 1 (Class C Felony) 5 years, \$125,000
- ORS 166.384 Manufacture of a Destructive Device (Class C Felony) 5 years, \$125,000
- ORS 166.382 Possession of a Destructive Device (Class C Felony) 5 years, \$125,000
 - The five statutes above are cited into Oregon State Court

ATTACHMENT C - DRAFT

ORDINANCE NO. _____

AN ORDINANCE CONCERNING UNRULY GATHERINGS AND AMENDING SECTION 4.670 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The definition of “Unruly gathering” in Section 4.670 of the Eugene Code, 1971, is amended to provide as follows:

4.670 Unruly Gatherings - Definitions. As used in sections 4.672, 4.990(1), and 4.996(5) and (6) of this code, the following words and phrases mean:

Unruly gathering. A party or gathering where alcohol is served or consumed, and where any two or more of the following behaviors occur on the property where the gathering takes place or on adjacent property:

- (a) Any violation of state or city of Eugene laws relating to the sale, service, possession or consumption of alcoholic liquor;
- (b) Assault, as defined in section 4.729 of this code;
- (c) Menacing, as defined in section 4.730 of this code;
- (d) Harassment, as defined in section 4.726 of this code;
- (e) Intimidation, as defined in section 4.731 of this code;
- (f) Disorderly conduct, as defined in section 4.725 of this code;
- (g) Noise disturbance, as defined in sections 4.080 – 4.084 of this code;
- (h) Criminal mischief, as defined in sections 4.780 and 4.782 of this code;
- (i) Public urination or defecation, as defined in section 4.770 of this code; [and]
- (j) Littering, as defined in section 6.805 of this code, by a person who attended the party or gathering[.]; **and**
- (k) ***Unlawful use or explosion of fireworks, as prohibited by ORS 480.120.***

Section 2. The City Recorder, at the request of, or with the consent 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.

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

Approved by the Mayor this
____ day of _____, 2014

City Recorder

Mayor

ORDINANCE NO. _____

AN ORDINANCE CONCERNING RESTRICTIONS ON FIREWORKS; ADDING SECTION 4.934 TO THE EUGENE CODE, 1971; AND AMENDING SECTION 4.990 OF THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 4.934 of the Eugene Code, 1971, is added to provide as follows:

4.934 ***Fireworks Restrictions.*** *In addition to restrictions on the sale, possession, use, detonation or explosion of fireworks under state law, it is unlawful to use, light, detonate, display or explode any fireworks anywhere in the city at any time except on January 1, July 3, 4, 5, and December 31. For purposes of this section, "fireworks" has the meaning given in Oregon Administrative Rule 837-012-0610 (2014).*

Section 2. Subsection (1) of Section 4.990 of the Eugene Code, 1971, is amended by adding the following entry to the list of penalties to provide as follows:

4.990 **Penalties - Specific.**

(1) Violation of the following sections is punishable by fine or confinement in jail, or both, up to the amounts indicated opposite each. In addition, the court may order any treatment, related to the violation, deemed necessary for rehabilitation of the offender and the safety of the community.

<u>Section</u>	<u>Penalty</u>
4.934	500 fine

Section 3. The City Recorder, at the request of, or with the consent 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.

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

Approved by the Mayor this
____ day of _____, 2014

City Recorder

Mayor