

ADMINISTRATIVE ORDER NO. 58-25-03
of the
City Manager of the City of Eugene

**REGARDING THE OPPORTUNITY TO COMMENT ON A PROPOSAL
TO AMEND THE STORMWATER USER FEE SCHEDULE.**

The City Manager of the City of Eugene finds as follows:

A. Section 6.411 of the Eugene Code, 1971 (EC), authorizes the City Manager to determine and set fees and charges to be imposed by the City for wastewater service, regional wastewater service, and stormwater service. Pursuant to that authority, on October 1, 2024, I issued Administrative Order No. 58-24-29-F amending the Stormwater User Fee Schedule.

B. In accordance with EC 6.411(1), I have conducted an investigation of the revenue needs of the City in providing stormwater services and have considered the following criteria: (1) the amount charged for the services in the past; (2) applicable federal and state regulations; (3) amounts charged by the City of Springfield and other such service providers for comparable services; (4) the revenue needed to pay the City's costs and debt obligations related to stormwater facilities, the expected need for financial reserves and contingencies, and other sources of revenue; (5) special surcharge rates for stormwater customer discharging stormwater at extraordinary expense to the City; (6) other relevant adopted policies of the council; (7) the terms of any applicable intergovernmental agreement relating to stormwater; (8) obtaining equity between different classes of ratepayers; and (9) the value of the use and occupancy of the City's right-of-way by the City stormwater system. (See Exhibit B)

C. Based on my investigation and consideration, I propose to amend the stormwater user fees as set forth in the Notice attached as Exhibit A to this Order to be implemented and effective for all bills issued on or after July 1, 2025.

On the basis of these findings, I order that a Notice substantially conforming to the Notice attached as Exhibit A shall be:

1. Provided to the Mayor and City Councilors, the news media, any person who has requested notice, interested governmental agencies (including the United States Environmental Protection Agency, the Department of Environmental Quality, the Metropolitan Wastewater Management Commission, and the Eugene Water & Electric Board);

2. Posted at two locations at City Hall; and

3. Published on two separate occasions in the Register Guard Newspaper.

Dated this 26th day of March, 2025.



Sarah Medary, City Manager


Richard T. Hoey (Mar 25, 2025 19:55 PDT)


Matt Rodriguez (Mar 26, 2025 02:30 PDT)

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED CHANGES TO THE STORMWATER USER FEE SCHEDULE.

Pursuant to the provisions of Section 6.411 of the Eugene Code, 1971, and as a result of an investigation of the revenue needs of the City, the City Manager is proposing increases in Stormwater User fees effective July 1, 2025. Documentation supporting this proposal may be reviewed at www.eugene-or.gov/swfees. The current monthly fees and the proposed fees to be charged are set out below.

Stormwater User fees are the sum of charges for impervious surface, street-related run-off and an administrative fee. The three categories of “residential” fees all refer to single-family dwellings, and are described as follows:

1. Small Residential Customer. Building footprint is equal to or less than 1,000 square feet.
2. Medium Residential Customer. Building footprint is greater than 1,000 square feet and less than 3,000 square feet.
3. Large Residential Customer. Building footprint is 3,000 square feet or greater.

All users other than single family homes and duplexes are included as Commercial/Industrial.

The fee for a duplex is calculated as follows: The administrative portion of the fee is based on a single residential account; the street-related portion of the fee is twice the amount for a single family dwelling; and the charge for impervious surface is the same as for a single-family dwelling if the duplex has a vertical configuration and twice that rate if the duplex has a horizontal configuration.

The term “per 1,000 sf” refers to square foot of impervious surface area.

	Small Residential	Medium Residential	Large Residential	Commercial/Industrial
Current Impervious Surface:	\$9.43	\$15.20	\$5.24 per 1,000 sf	\$5.24 per 1,000 sf
Proposed fees:	\$9.90	\$15.95	\$5.50 per 1,000 sf	\$5.50 per 1,000 sf
Current Street-Related:	\$2.63	\$2.63	\$2.63	\$1.87 per 1,000 sf
Proposed fees:	\$2.76	\$2.76	\$2.76	\$1.96 per 1,000 sf
Current Administrative:	\$0.78	\$0.78	\$2.45	\$2.45
Proposed fees:	\$0.82	\$0.82	\$2.57	\$2.57

	Small Residential	Medium Residential	Large Residential	Commercial/Industrial
Current Total Monthly Fee:	\$12.84	\$18.61	Varies	Varies
Proposed fees:	\$13.48	\$19.53	Varies	Varies

Application Fees:	Fees	Proposed
Reduction or Elimination of Discharge	\$150.00	No change to this fee
Reduction of Impervious Area:		
Small or Medium Residential Customer	\$50.00	No change to this fee
General Customer.....	\$100.00	No change to this fee

Comments on the proposed changes may be submitted orally at a public hearing which will be held using virtual meeting technology on April 10, 2025, at noon, or via email to utilityadmin@eugene-or.gov or in writing to Susan Weixelman, Public Works Financial Services Manager, 99 W. 10th, Suite 370, Eugene, OR 97401. To be considered, written and email comments must be received by 5 p.m. on April 10, 2025. Information about options for participation in the virtual public hearing will be available by 5 p.m. on April 8, 2025, at <https://www.eugene-or.gov/1972/Public-Meetings-Calendar>.

To arrange for Spanish-language interpretation, materials in alternative formats, or an interpreter or assistive listening system for the deaf or hard of hearing at the City of Eugene’s public hearing, telephone 541-682-4900 by noon on April 8th.

CITY MANAGER'S FINDINGS

Proposed Stormwater Fee Schedule Amendments

Stormwater fees support services that protect clean water in Amazon Creek and the Willamette River, enhance fish and wildlife habitat, and reduce the risk of flooding. An investigation was conducted to determine stormwater revenue needs through FY26. The investigation included the following factors, as outlined in Eugene Code 6.411.

There are many components to the stormwater program. When it rains in Eugene, water hits roofs, lawns, sidewalks and streets, and picks up oil from cars, sediment, bacteria, grease, and other chemicals associated with urban life. Instead of soaking into the ground, nature's natural filter in non-urban areas, these contaminants are carried along streets and through underground storm pipes, culverts and roadside ditches, discharging directly into Amazon Creek or the Willamette River. Pipes and culverts catch leaves, sediment and litter and must be cleaned regularly. Green infrastructure such as vegetated swales and rain gardens have been installed to provide treatment for stormwater runoff in some areas and must also be maintained. Street sweeping, leaf pick up, piped system cleaning, and vegetation maintenance of rain gardens are just a few of the stormwater operations that the city provides to maintain this system. In addition to protecting clean water and healthy habitat, a functioning stormwater system also reduces the risk of flooding.

The City of Eugene is proposing to increase the stormwater user fee by 5%, effective July 1, 2025. The FY26 rate increase provides the resources to invest in several solutions that address issues impacting the stormwater service. Specifically, this funding will be used to contribute to the addition of 1.50 full time equivalent (FTE) that focus on keeping the right-of-way (ROW) in the downtown core area clean of trash and debris so that it does not make it ways to storm drains or the river. Additionally, this fee increase will allow the stormwater service to partner in the addition of 0.30 of a FTE in the Engineering Division for Capital Project Delivery, Housing and Development; 0.20 FTE in the Wastewater Division for increased workload for operations and maintenance one-third of the cost of a security contract at Roosevelt Yard. The fee increase will also keep pace with inflation that this service is expecting to see over the 2023-2025 biennium.

Pursuant to Sections 6.411(1) and (2), the City Manager has conducted an investigation of the revenue needs of the City in conducting stormwater operations and has examined the following criteria in determining the proposed stormwater fees:

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Pursuant to Sections 6.411(1) and (2), the City Manager has conducted an investigation of the revenue needs of the City in conducting stormwater operations and has examined the following criteria in determining the proposed stormwater fees:

1) The amount charged for such service in the past.

Findings:

	Small Residential	Medium Residential	Large Residential	Commercial/Industrial
Current Impervious Surface:	\$9.43	\$15.20	\$5.24 per 1,000 sf	\$5.24 per 1,000 sf
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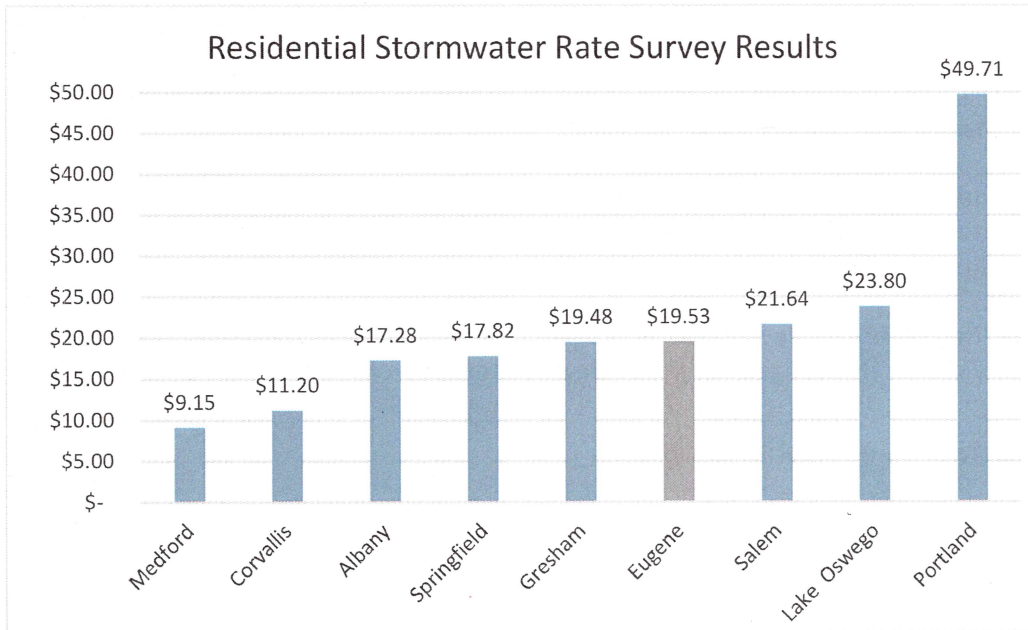
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2) Applicable federal or state regulations or conditions imposed as part of a federal or state grant or financial assistance agreement.

Findings: N/A

3) The Amounts charged or proposed to be charged by the City of Springfield and other providers of stormwater services for comparable services.

Findings: All the cities included in the chart below are regulated under the MS4 permit program, with an important distinction. “MS4 Phase I permittees” tend to represent larger and more densely populated areas and must meet additional obligations compared to the smaller “MS4 Phase II permittees.” The table reflects this distinction in those rates for Medford, Corvallis, Springfield, and Albany, all MS4 Phase II permittees, are on the lower end of the range. All others in the table are MS4 Phase I permittees and their stormwater programs are more comparable to Eugene’s except for Portland which, in many older areas of the city, operates a combined stormwater and stormwater system, so the programs are not comparable in scope.



4) For an individual stormwater service customer that discharges stormwater that requires extraordinary expense to the city, special surcharge rates based on the type, concentration, quantity, quality and frequency of the discharge.

Findings: The current fee structure is set up so the more stormwater a large residential or industrial/commercial property discharges, the more they pay for the City to manage it once it gets to the public system.

5) Other relevant adopted policies of the council.

Findings: City Council adopted Comprehensive Stormwater Management Plan (CSWMP, 1993) which includes goals, policies and implementation actions that provide the framework for an integrated multiple-objective approach to stormwater management.

6) The terms of any applicable intergovernmental agreement relating to stormwater services or regional stormwater treatment service.

Findings: There are no additional new intergovernmental agreements between the City of Eugene and other entities that will impact the proposed rates. Existing relevant intergovernmental agreements (e.g. City of Eugene/Lane County Stormwater IGA, City of Eugene/Lane County Maintenance IGA) are cost neutral and are updated periodically as needed to maintain parity in level of effort and resources.

7) The obtaining of equity between different classes of customers so that one class of customers does not pay more than its proportionate share of the expenses of providing sewer service.

Findings: The stormwater fee schedule is set up to charge customers whose residence or business generates more stormwater runoff a higher fee. There are three classes of rates for residential customers based upon impervious surface area: small, medium, and large. Small and medium residential pay a flat rate. Large residential and commercial/industrial customers pay per square footage of impervious surface area.

8) In addition to the forgoing considerations, in determining the amounts or rates to be charged for stormwater service, the city manager shall consider the value of the use and occupancy of the city's right-of-way by the city stormwater system.

Findings: The City of Eugene stormwater program is paying a similar charge for the use and occupancy of the City of Eugene's right-of-way system, when compared to other utilities in the area.

Percentage of Revenue for Use in the Right-of-Way

Cable TV	5%
EWEB (CILT)*	6%
COE Stormwater	6%
COE Wastewater	6%
Telecommunications (including Internet access)	7%
NW Natural Gas**	5%

*As a public utility, EWEB pays the City a Contribution In Lieu of Taxes (CILT) as a percentage of electric retail sales revenue.

**The last franchise agreement with NW Natural expired in 2021. While the City and NW Natural work towards a new agreement, NW Natural continues to pay the City a Natural Gas Supplier Tax as a percentage of revenue.