



City Council Agenda

City Manager:

Nancy Newton

City Recorder:

Allyson Pulido
541-726-3700

City Hall
225 Fifth Street
Springfield, Oregon 97477

541-726-3700

Online at www.springfield-or.gov

Mayor

Sean VanGordon

City Council

Michelle Webber, Ward 1

Steve Moe, Ward 2

Kori Rodley, Ward 3

Beth Blackwell, Ward 4

Vacant, Ward 5

Alan Stout, Ward 6

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

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

To arrange for these services, call 541-726-3700.

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

All proceedings before the City Council are recorded.

October 13, 2025
Monday

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

or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 819 1941 0484

Copy the address below into your browser to register

https://us06web.zoom.us/webinar/register/WN_M2hO9XJTtMW4DI9YRyJjGw

To dial in using your phone in Listen Only Mode:

Dial 1 (971) 247-1195

Toll Free 1 (877) 853-5247

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

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

CALL TO ORDER

ROLL CALL -- Mayor VanGordon ___, Councilors Webber ___, Moe ___, Rodley ___, Blackwell ___, and Stout ___.

1. Evaluate Ward 5 Applications
[Mary Bridget Smith] (20 mins)
2. City Hall Deferred Maintenance and Department Consolidation.
[Jeff Paschall] (30 minutes)
3. Nuisance Lien Discussion
[Charlie Kent] (20 mins)

ADJOURNMENT

AGENDA ITEM SUMMARY

Meeting Date: 10/13/2025
Meeting Type: Work Session
Staff Contact/Dept: Mary Bridget Smith/City Attorney's Office
Staff Phone No: 541-744-4061
Estimated Time: 20 Minutes
Council Goals: Mandate

**S P R I N G F I E L D
C I T Y C O U N C I L**

ITEM TITLE:

Evaluate Ward 5 Applications

ACTION REQUESTED:

Review and discuss Interim Councilor candidate applications and decide by consensus the candidates to invite to interview.

ISSUE STATEMENT:

The Springfield City Council must appoint an Interim Councilor for Ward 5 consistent with the Springfield Charter, Council Operating Policies and Procedures, and its adopted process.

DISCUSSION/FINANCIAL IMPACT:

Purpose/Background Information: The purpose of this item is to provide an opportunity for the Council to review and discuss the applications received for Interim Councilor for Ward 5. The Council can decide by consensus the candidates to invite for an interview.

Remaining Schedule:

â€¢ October 20, 2025 -- Work Session; Interview candidates and deliberate

â€¢ October 20, 2025 -- Regular Session; Appoint Interim Councilor-Elect

â€¢ October 27, 2025 -- Special Session; Swearing-in of Interim Councilor for Ward 5

Attachments

1. Andrew Buck Cover Letter and Application

Cover Letter

City Manager's Office

Interim City Council Application Ward 5

10/1/2025

OCT 06 RECD
2025-AP

I have lived in Springfield, and specifically ward 5, for a number of years. I have witnessed much change in my ward in particular and Springfield in general.

My interest in pursuing City Council is that I see a great opportunity for Springfield to continue to build on the great progress made over the past 20 years that we enjoy in many areas today.

My time on Planning commission has given me a great introduction into how Cities run and some of the challenges that Springfield faces today. Making the decisions that continues our current trajectory will provide a healthy, vibrant, and desirable community for generations to come.

I believe that progress requires listening to all perspectives, including those I don't align with, to find ways to accomplish that goals that truly benefit Springfield. Hard choice also means that not everyone will be happy all the time but they can be heard and their perspective considered.

If the Council and Mayor believe that I can positively contribute to the work Council is doing and will do as a collaborative Councilor I will be honored to serve.

Thank you for your consideration,


Andrew Buck

6068 Pebble Ct

Springfield, Or. 97478

Andrew.buckplus5@gmail.com

541-520-1092



Application for Interim Councilor for the City of Springfield

OCT 06 REC'D
2025-11

Name: Andrew W. Buck
First Middle Initial Last

Home address: [Redacted] Springfield, OR. 97478
City Zip

Mailing address: [Redacted] Springfield, OR. 97478
Street City Zip

Day Phone: [Redacted] Evening phone: [Redacted]

Email Address: [Redacted]

Preferred Form of Contact: _____

Do you live within the Springfield city limits? ☒ Yes ☐ No ⇒ If yes, how long? 20 yrs.

Ward number: 5

Occupation: Insurance Producer Place of employment/School: Oregon Insurance Company

Business address: [Redacted]

Education: MA

Are you currently serving on any other board, committee, or commission? If so, please list them here:
Willamette budget Committee ; Planning Commission Chair

Please print or type: You may answer the following questions on the space provided or on a separate piece of paper. Please also submit a cover letter but do not provide additional materials like a resume or references.

1. Why do you want to be an Interim City Councilor?

My time on Planning Commission has given me valuable insight into how things work in City Government and I see the potential for Springfield. Ward 5 also needs a strong advocate as well with the likelihood of development occurring here.

For more information, please call the City Manager's Office 541.726.3700
Return this application to the City Manager's Office, 225 Fifth Street, Springfield Oregon 97477
or email your application and cover letter to cmomail@springfield-or.gov



Application for Interim Councilor for the City of Springfield

2. What strengths do you bring to the position?

I'm a good listener and collaborate well with others. I am good at managing relationships even in disagreement.

3. What makes you the most qualified candidate?

My experience on Planning Commission helps a great deal as does my relationships at the City and in the community.

4. How do you see the role of an Interim City Councilor in addressing current challenges and supporting council priorities?

I believe that councilors need to work as a team and I would look forward to the opportunity to find how I can be a valuable part of that.

5. The City Council meets on average no less than four times per month. Council assigned subcommittees may meet more frequently. Meetings generally last a minimum of one and one-half hours. **It is highly recommended you attend a meeting before submitting the application.** Are you available to attend meetings on the dates listed for this committee?

☒ Yes ☐ No

Comments: _____

I certify the information in this application and attachments are true and complete to the best of my knowledge. I understand that false or misleading statements or missing information is cause for rejection of application, removal of name from eligible list, or dismissal from the position. I hereby waive my rights to claims or damages against any employer and the City of Springfield, its officers, agents, and employees, in regard to this exchange of information. I hereby authorize to permit the City of Springfield and/or the Springfield Police Department to review my background information and if required my DMV records. I have reviewed the Advisory and meet the minimum requirements to serve/volunteer in the desired position. I also authorize to permit any materials listed above to be copied and retained by the City of Springfield. I authorize the use of my photograph.

I will defend, indemnify and hold harmless the City of Springfield, its officers, employees, and agents from and against all liability or loss and against any and all claims, actions, causes of actions, proceedings or appeals based upon or arising out of or arising from or in connection with my conduct or performance as a volunteer with the City of Springfield including but not limited damage or injury to persons or property and including without limitation attorney fees and expenses; except for losses, claims or actions resulting from the sole negligence of the City of Springfield.

Applicant Signature _____

Date: 9/30/2025

For more information, please call the City Manager's Office 541.726.3700

Return this application to the City Manager's Office, 225 Fifth Street, Springfield Oregon 97477

or email your application and cover letter to cmomail@springfield-or.gov

AGENDA ITEM SUMMARY S P R I N G F I E L D C I T Y C O U N C I L	Meeting Date:	10/13/2025
	Meeting Type:	Work Session
	Staff Contact/Dept:	Jeff Paschall/Community Development
	Staff Phone No:	
	Estimated Time:	30 Minutes
	Council Goals:	Maintain and Improve Infrastructure and Facilities

ITEM TITLE:

City Hall Deferred Maintenance and Department Consolidation.

ACTION REQUESTED:

City Council is asked to review the progress of the City Hall project to date, including background on deferred maintenance and the expanded scope, and provide direction to staff on the preferred path forward. Council input will guide next steps in finalizing design, addressing critical safety and infrastructure needs, and ensuring the project supports effective service delivery for the next 25 to 30 years.

ISSUE STATEMENT:

Springfield City Hall is facing critical deferred maintenance, safety, and operational challenges. An Occupational Safety and Health Administration (OSHA) audit in 2025 identified safety and code deficiencies, and the Heating, Ventilation, and Air Conditioning (HVAC) system is failing. What began as a functional remodel has evolved into a comprehensive modernization effort to address critical infrastructure needs, improve operational efficiency, and ensure City Hall serves as an effective civic center for the next 25--30 years. Council direction is needed to guide the path forward.

DISCUSSION/FINANCIAL IMPACT:

Springfield City Hall is facing critical deferred maintenance, safety, and operational challenges. A 2025 OSHA audit identified code deficiencies, and the HVAC system--largely original to 1980--has reached near-total failure, requiring extensive staff time and costly repairs to keep it operational. What began as a limited remodel has evolved into a comprehensive modernization effort to address these deficiencies, improve efficiency, and ensure City Hall functions as an effective civic center for the next 25--30 years.

The 2025 preservation report identified \$31.34 million in City Hall needs over the next six years, with \$19.5 million considered near-term. The current project scope would address nearly all these needs for under \$12 to \$13 million, significantly less than projected piecemeal fixes. A modern HVAC system alone is expected to reduce annual operating costs by \$229,000--\$248,000, free staff and annual budget appropriations for other priority maintenance, and improve energy efficiency, air quality, and workplace conditions. Addressing these needs in a coordinated project reduces long-term costs, avoids duplication, and minimizes disruption to City services.

Two primary financing options have been identified: (1) use of the City's \$6 million Rainy Day Reserve, minimizing borrowing but reducing reserve flexibility, or (2) loan financing supported by investment income, which preserves reserves but introduces debt obligations. Council is asked to confirm City Hall as the long-term service location, direct staff whether to proceed with design and project development, and provide guidance on the preferred financing approach.

Attachments

1. Council Briefing Memorandum
2. City Hall Deferred Maintenance List
3. Presentation

MEMORANDUM

City of Springfield

Date: 10/13/2025
To: Nancy Newton **COUNCIL**
From: Jeff Paschall, Community Development Director **BRIEFING**
Subject: City Hall Deferred and Department Consolidation **MEMORANDUM**

ISSUE: Springfield City Hall is facing critical deferred maintenance, safety, and operational challenges. An Occupational Safety and Health Administration (OSHA) audit in 2025 identified safety and code deficiencies, and the Heating, Ventilation, and Air Conditioning (HVAC) system is failing. What began as a functional remodel has evolved into a comprehensive modernization effort to address critical infrastructure needs, improve operational efficiency, and ensure City Hall serves as an effective civic center for the next 25–30 years. Council direction is needed to guide the path forward.

COUNCIL GOALS/

MANDATE:

Maintain and Improve Infrastructure and Facilities

BACKGROUND:

- **1972** – Building designed and constructed as a mall
- **1980** – Purchased and renovated for City Hall use
- **2007** – Roof membrane replaced
- **2015** – Seismic evaluation conducted
- **2017–2018** – Seismic retrofit bracing completed
- **2016–2019 Capital Improvement Program** – Identified need for HVAC replacement

The HVAC system remains based on the original 1980 design. Much of the ductwork is more than 40 years old and made of fiberboard. The network operating system for the HVAC is no longer supported. Of the 64 heat pump units, only 10 are fully operational; 18 are nonoperational, and the remaining 36 function only with temporary repairs using salvaged parts from irreparable units.

In 2024, a design services contract was awarded to evaluate office space for efficiency, improve workflows, and modernize aesthetics in three quad areas (northeast, northwest, and southeast).

In early 2025, the City’s Building Maintenance Supervisor presented a preservation report identifying \$31.34 million in City Hall needs, phased as:

- **1–3 years:** \$12.45 million
- **3–6 years:** \$15.32 million
- **6+ years:** \$3.57 million

In summer 2025, the City Hall Safety Committee, with the City’s insurance broker, conducted an OSHA audit. The audit identified multiple deficiencies and potential violations, many of which would be most effectively remedied through completion of deferred maintenance projects (e.g., electrical deficiencies).

Current Status

The project began as a functional remodel of the quad office spaces. Through design and facility evaluations, it became clear a limited remodel would not address aging systems, deferred maintenance, or community and staff needs.

The project has since evolved into a comprehensive plan to upgrade and reimagine City Hall as an effective service center for the next 25–30 years. This vision includes:

- **High-Priority Deferred Maintenance**
 - Replace failing HVAC, ductwork, and unsupported networking
 - Upgrade fire panels, electrical panels, and wiring
 - Update restrooms and plumbing
 - Address remaining building security needs and improve wayfinding
 - Replace roof membrane
 - Replace inefficient windows
- **Program and Department Consolidation**
 - Realign space to improve workflow, communication, and accessibility, enhancing customer service
- **Functional Modernization**
 - Enhance natural light, acoustics, and collaboration
 - Standardize systems for smart growth

Council Considerations

Evaluation and design work for the initial remodel revealed that several critical building systems must be addressed to ensure City Hall remains viable. At a minimum, City Hall faces imminent risk of complete HVAC failure, which could require full or partial closure while repairs are made.

With rising construction costs, the financial impact will only increase with delay. Prompt action will reduce long-term costs and risks while providing certainty for staff and community service delivery.

Key considerations include:

- **Safety & Compliance** – OSHA audit deficiencies must be addressed; delay increases risk, liability, and potential regulatory action.
 - **Investment Priorities** – Balance urgent HVAC replacement with broader modernization goals.
 - **Fiscal Policy Alignment** – Ensure decisions align with the Fiscal Stability Task Force’s recommendation to prioritize deferred maintenance.
 - **Workplace Strategy** – Respond to staff-identified needs for natural light, acoustics, and collaboration.
 - **Phasing & Timing** – Determine whether improvements should occur as a single investment or in phases.
 - **Economic Efficiency** – A coordinated project is more cost-effective than piecemeal fixes, reducing duplication of construction costs and minimizing
-

service disruptions.

Financial Impact

The 2025 preservation report estimated \$31.34 million in City Hall needs, with \$12.45 million identified as near-term (1–3 years) and another \$15.32 million in the 3–6 year timeframe—nearly \$19.5 million in needs within the next six years.

The current project scope would address nearly all these needs with a conservative cost estimate of \$12.5–\$13.8 million. With Council direction to proceed, staff believe that through value engineering and careful design, the total cost can be reduced to under \$12 million.

Operating the current HVAC system consumes about 60% of Building Operations staff time, in addition to high electricity usage and frequent contracted repairs. Estimated annual costs are:

- **FY24–25:** \$281,988
- **FY25–26:** \$292,415
- **FY26–27:** \$305,004

By contrast, a new HVAC system is projected to cost only \$52,500–\$57,000 annually, saving \$229,000–\$248,000 each year. In addition to financial savings, a modern system will reduce maintenance demands, improve energy efficiency, provide environmental benefits, and enhance indoor air quality. It would also free staff to address other priority projects such as repairing entryway stairs and elevator upgrades.

Taken together, this project addresses nearly \$19.5 million in identified needs over six years through a single investment under \$12 million, while also reducing long-term operating costs and improving service delivery.

Financing Options

Two primary options have been identified:

1. Rainy-Day Reserve Fund

- Approximately \$6 million currently available
- Funds could be applied directly to the project, with the balance distributed to other funds based on staffing allocations
- Minimizes borrowing but reduces reserve flexibility for future emergencies or revenue shortfalls

2. Loan Financing Supported by Investment Income

- The City could pursue loan financing for the project
- Annual payments could be covered using interest income from the City's investment portfolio, minimizing direct budget impacts
- Preserves reserve balances but introduces debt obligations and exposure to interest rate fluctuations

Each approach carries trade-offs in terms of fiscal stability, risk, and flexibility. Council

direction is needed to determine which financing strategy best aligns with City priorities

RECOMMENDED ACTION: City Council is asked to review the progress of the City Hall project—including deferred maintenance, identified safety and code issues, and the expanded scope of modernization—and provide direction on the preferred path forward. Council input will guide final design, financing strategy, and next steps to ensure City Hall supports effective service delivery for the next 25–30 years.

As part of this discussion, Council is specifically asked to consider:

1. Is this where we envision City Hall serving the community for the next 25–30 years?
 2. If yes, should staff proceed into the next phase of design and project development?
 3. Which financing option—Rainy Day Reserve Fund or loan financing supported by investment income—best aligns with City priorities and financial policies?
-

Legend					Building Maintenance and Preservation Needs Report	
						
		Priorities				
Driver	Description	1	2	3		
S	Safety/ Hazard Conditions	Code Compliance	Known Safety or Hazard Condition	Developing Safety Concern		
I	Building and Systems Integrity	Eminent Structural or Systems Failure	Protection of Building Envelope	Preventive Maintenance and or Preservation		
E	Energy Cost/Usage	Generates Revenue; Rapid Payback; Grants	Moderate Payback and System Improvement	Identified Savings Potential		
R	Systems Reliability	Just-in-time/Eminent Failure	Scheduled Life Cycle Improvements/ Extension	Modernization or Correction of Declining Conditions		
F	Operational Functionality	Accessibility; Min. Functionality; Hygiene Standards	Improve Conditions for Staff and Public	Aesthetics	Development and Public Works - Operations Division	
Bldg.	Current and Future Project Needs	Estimate	1, 1-3 years 2, 3-6 years 3, >6 years	Priority	Notes	
	Note: This is not a comprehensive list. Prioritization is variable and is impacted by age, condition, availability of finances as well as political issues and frugality.	Estimates are budgetary only.				
All	Fire panel upgrades	\$47,000.00	1	S1	Needed to modernize system and get away from proprietary monitoring. Note this should also come with an increase or change in operational costs in order to use radio signaling in place of the phone landlines we currently have.	
All	Security upgrades major	\$1,000,000.00	3	S3	Physical and cyber security upgrades unrelated to seismic. Access control, monitoring, standardizing with other sites.	
CH	Emergency Generator modifications	\$200,000.00	1	S2	Assess expansion of emergency electrical grid to insure operation functionality of vital services during emergencies.	
CH	Structural Integrity of Systems	\$5,000,000.00	2	S2	Structural Improvements to improve safety and integrity (Stairs, Landings, Concrete columns, Paint)	
CH	New Roof	\$1,850,000.00	2	I1		
CH	City Hall HVAC	\$10,000,000.00	1	I1	Replace all duct work or \$2,000,000 to upgrade each quad in phases. Upgrade HVAC control systems.	
CH	New metal siding/paint	\$2,000,000.00	3	I2	Assess/implement exterior surfaces to steel/metal cladding.	
CH	Window replacement	\$400,000.00	2	E2	Old single pane windows should be replaced for energy efficiency and user comfort	
CH	Upgrade city hall interior workspaces (In phases, currently in progress)	\$6,000,000.00	2	E2	Energy savings, comfort and productivity. Updating ceiling tiles, flooring, plumbing, paint, furniture, wall systems.	
CH	Elevator upgrades (mechanical and operator upgrades 1 of 3 completed)	\$450,000.00	1	R2	Modernization and replacement of mechanical system on last two almost 40 year old elevators	
CH	Replace water heaters at all location - typically more than 15 years old	\$30,000.00	1	F1	Replace with high efficiency units	
CH	City Hall Wayfinding	\$100,000.00	1	F1	Signage upgraded needed for wayfinding, ADA and customer service reasons	
CH	New plumbing fixtures/Rest Rooms appearance upgrade to public restrooms	\$75,000.00	2	F2	Plumbing fixtures are old, worn and scratched. They are difficult to clean and do not look good. Some are not ADA accessible.	
CH	Under City Hall Storage (Unfunded CIP)	\$100,000.00	3	F2	Storage needed this is likely way under estimated or under sized	
	Building Maintenance and Preservation needed at City Property	\$27,252,000.00	Subtotal			
	15 percent	\$4,087,800.00				
		\$31,339,800.00	Subtotal			

City Hall Deferred Maintenance & Department Consolidation

Council Briefing – September 2025
Jeff Paschall, Community
Development Director
Mike Espinoza, Building
Maintenance Supervisor

The Issue

- City Hall faces critical deferred maintenance and safety challenges
- 2025 OSHA audit identified code deficiencies
- HVAC system failing; majority of units inoperable
- Remodel has expanded into a comprehensive modernization effort

Background

- Built in 1972, renovated in 1980
- Roof membrane replaced (2007)
- Seismic evaluation (2015) + retrofit (2017–2018)
- HVAC identified for replacement in 2016–2019 CIP
- 2020: Council considered replacing HVAC and roof with ARPA funds; cost estimated at \$7–9M



System Condition

- HVAC: 64 units; only 10 fully operational
- 40+ year-old fiberboard ductwork
- Unsupported network controls
- Frequent costly repairs with salvaged parts





Current Project Status

- Started as quad remodel for efficiency and aesthetics
- Now addressing:
 - High-priority maintenance (HVAC, roof, electrical, plumbing, security)
 - Department consolidation for improved service delivery
 - Modernization (light, acoustics, collaboration)

Cost & Efficiency

- Preservation Report: \$31.34M in identified needs
- Near-term needs (6 years): \$19.5M
- Comprehensive project: <\$12M
- New HVAC saves \$229k–\$248k annually
- Reduces operating costs, energy use, and staff time

Council Considerations

- Safety & Compliance – OSHA deficiencies must be corrected
- Fiscal Policy – Align with deferred maintenance priorities
- Workplace Needs – Better light, acoustics, collaboration
- Phasing – Single investment vs. phased approach
- Economic Efficiency – Coordinated project reduces duplication

Financing Options

- Rainy Day Reserve – \$6M available
 - Minimizes borrowing, reduces reserve flexibility
- Loan Financing with Investment Income
 - Preserves reserves, introduces debt obligations



Council Direction Requested

- Is this where we envision City Hall serving the community for the next 25–30 years?
- If yes, should staff proceed into the next phase of design and project development?
- Preferred financing option

AGENDA ITEM SUMMARY S P R I N G F I E L D C I T Y C O U N C I L	Meeting Date:	10/13/2025
	Meeting Type:	Work Session
	Staff Contact/Dept:	Charlie Kent/Community Development
	Staff Phone No:	5417263775
	Estimated Time:	20 Minutes
	Council Goals:	Financially Responsible and Stable Government Services

ITEM TITLE:

Nuisance Lien Discussion

ACTION REQUESTED:

None. Informational work session only.

ISSUE STATEMENT:

A nuisance lien is a legal claim the city places on a property to collect unpaid court fines related to civil code violations. This is different from abatement liens, which recover costs the City spends to abate code violations. Nuisance liens are specifically for fines that the Springfield Municipal Court has already ordered but that remain unpaid and are currently with a collections agency. A handful of chronic nuisance properties have amassed a significant outstanding balance of court ordered fines; seven properties combined owe \$355,053.

DISCUSSION/FINANCIAL IMPACT:

Fiscal Impact: The nuisance lien program targets \$355,053 in delinquent court-ordered fines across seven properties that have yielded zero collections agency payments despite 18 months to four years of effort. Springfield's recent success recovering 3 of 4 abatement liens demonstrates the effectiveness of lien mechanisms. While collection agencies retain 25-35% of recovered funds, liens allow the City to retain 100% of collections. Administrative overhead (10% of fines, totaling \$35,505) may be waived to incentivize voluntary compliance agreements. Staff prioritize compliance over full cost recovery, using potential fine reductions as a negotiating tool to eliminate community blight.

Policy Considerations: Nuisance liens represent industry-standard practice across Oregon municipalities, including Portland, Eugene, and Salem, and are recognized by the League of Oregon Cities as an effective enforcement method. The program restores equity by ensuring violators don't gain economic advantages over compliant neighbors who have invested in maintaining their properties. The seven properties generate significant negative impacts including dangerous buildings, illegal residential use, garbage accumulation, and ADA obstruction--conditions that decrease property values and signal neighborhood decline consistent with "broken window theory." Springfield's process provides robust due process protections through multiple notice methods, 30-day payment windows, and public hearings, layered upon protections already afforded during municipal court proceedings. The zero-percent collection rate has undermined enforcement credibility; nuisance liens restore deterrent effect by demonstrating that court orders carry meaningful, lasting consequences that follow properties through sale or refinancing.

Attachments

1. Council Briefing Memo

MEMORANDUM

City of Springfield

Date: 10/13/2025

To: Nancy Newton

COUNCIL

From: Jeff Paschall, Community Development Director
Charlie Kent, Code Enforcement Officer

BRIEFING

Subject: Nuisance Lien Discussion

MEMORANDUM

ISSUE: A nuisance lien is a legal claim the city places on a property to collect unpaid court fines related to civil code violations. This is different from abatement liens, which recover costs the City spends to abate code violations. Nuisance liens are specifically for fines that the Springfield Municipal Court has already ordered but that remain unpaid and are currently with a collections agency. A handful of chronic nuisance properties have amassed a significant outstanding balance of court ordered fines; seven properties combined owe \$355,053.

COUNCIL GOALS/MANDATE:

Provide Financially Responsible and Innovative Government Services

BACKGROUND:

The City of Springfield currently utilizes abatement liens to recover costs the City incurs when the City itself abates code violations on private property. Nuisance liens serve a different purpose: they provide a mechanism to collect court-ordered fines that have been imposed through the judicial process but remain unpaid despite collection efforts.

These fines originated from Municipal Court proceedings where property owners were found in violation of city code and assessed monetary penalties by the court. After exhausting standard collection procedures, the municipal court refers unpaid fines to a collections agency. To date, the collections agency has returned no payments for the debts listed in this memorandum. The nuisance lien activity represents a final enforcement tool to ensure compliance with court orders and recover funds owed to the City.

Nuisance liens are an effective tool to recover unpaid fines because they attach to any property owned by the code enforcement defendant where the lien is recorded (e.g. within the city if recorded on the city's own lien docket, or within Lane County if recorded with county deeds and records). Nuisance liens are valid for up to ten years following the date the fine was imposed by the municipal court under ORS 221.351. A lien must be repaid to clear title to a defendant's property, such as when the property is sold or when it is used as collateral for a loan. The City also has a right to judicially foreclose nuisance liens by filing a foreclosure action in Lane County Circuit Court, but this process is time-intensive and staff do not intend to pursue judicial foreclosure for the properties described in this memo. The City Council would need to authorize a foreclosure action specifically, before one could be filed.

Springfield Municipal Code Section 5.640 , as amended by Ordinance No. 6494 (Adopted by the City Council on April 21, 2025), provides the legal framework for imposing nuisance liens. This code section establishes a clear process that protects property owner rights while providing an effective collection mechanism for delinquent court-ordered forfeitures. This process works through the four following steps:

1. Notice to Property Owner: The Finance Officer, or designee, sends notification by both certified mail and regular mail explaining the debt, how much is owed, and that a lien will be placed on the property if payment isn't made within 30 days.
2. Opportunity to Object: Property owners can submit written objections before 5:00 p.m. on the hearing date or present objections (written or oral) at the City Council hearing.
3. City Council Hearing: The Council holds a hearing where property owners can be heard. However, the Council cannot reconsider whether the original violation or fine was valid—that was already determined by the court. The Council's role is to approve placing the lien on the property.
4. Lien Becomes Effective: Once the Council passes a resolution, the lien attaches to the property immediately. The Finance Officer notifies the property owner in writing.

As of September 2025, the City has identified seven properties with aggregate delinquent court fines totaling \$355,053.00. The majority of cases have been in collections for a minimum of 18 months, with multiple unsuccessful attempts at recovery through standard collection methods. The Finance Department has conducted a thorough review to verify that all underlying court orders are valid, final, and not subject to pending appeals.

DETAILED NUISANCE LIEN PROCESS

The process established by Code Section 5.640 includes multiple safeguards to protect property owner rights:

Step 1: Notice Requirements

The Finance Officer, or designee, provides notice to property owners through three methods: certified mail with return receipt requested, regular mail, and if necessary, personal service as provided under Oregon Rules of Civil Procedure Rule 7. This redundant approach ensures property owners receive actual notice of the pending lien.

The notice contains specific information including the facts supporting the delinquent forfeiture, the total amount owed (including administrative overhead), notification that the debt will become a lien if unpaid within 30 days, the date and time of the City Council hearing, and instructions for submitting objections.

Step 2: Opportunity for Payment or Objection

Property owners have 30 days from the date of notice to either pay the outstanding debt in full or submit objections. Written objections may be submitted to the Finance Director by 5:00 p.m. on the day of the hearing. Property owners may also appear at the City Council hearing to present oral or written objections.

Step 3: City Council Hearing

City Council conducts a public hearing where property owners may be heard. It is important to note that the scope of this hearing is limited: the Council does not reconsider whether the underlying nuisance or violation exists, as that determination was made by the municipal court. The Council's role is to determine whether the lien should be imposed as a collection mechanism for the court-ordered fine.

Step 4: Resolution and Notice

If the Council determines that imposition of the lien is appropriate, it enacts a resolution authorizing the lien. The Finance Officer, or designee, then communicates the Council's decision in writing to the property owner using the same notice methods. The lien becomes effective immediately upon passage of the resolution and is recorded in the City lien docket.

Step 5: Lien Collection

Once recorded, the lien remains attached to the property until satisfied. Liens are typically collected when the property is sold, refinanced, or through voluntary payment by the owner. The lien amount includes the original court-ordered fine plus administrative overhead costs associated with the lien process.

PROPOSED CASES FOR LIEN IMPOSITION

Code compliance staff recommends proceeding with nuisance lien imposition for the following seven properties. Each case summary includes the property address, the nature of the underlying violation, the court-ordered fine amount, the first date of the court order, and the current status of collection efforts:

Case 1: 1455 Main Street

- Primary violation: Living in an RV on a vacant lot, garbage/materials spilling onto adjacent lots, 8 citations issued.
- First Court Fine Imposed: July 18, 2024
- Total amount: \$13,804.00
- Collection Status: In collections since August 2024; no payments received
- Property Owner Notified: Yes, multiple attempts

Case 2: 4359 Mt. Vernon Street

- Violation: Obstructing ADA access with moving containers, general nuisance violations, 16 citations issued.
- First Court Fine Imposed: May 23, 2024 & ongoing
- Total amount: \$41,922.00
- Collection Status: In collections since July 2024; no payments received
- Property Owner Notified: Yes, multiple times

Case 3: 2160 A Street

- Violation: Repeat dangerous building violations, failure to secure structure, inoperable vehicles, garbage and trash thrown into neighboring yards
- First Court Fine Imposed: February 22, 2022 and ongoing
- Total amount: \$38,840.50
- Collection Status: In collections since October 7, 2022; no payments received
- Property Owner Notified: Yes, by certified mail and in person.

Case 4: Tax Lot #1802041101000

- Violation: Residential use of undeveloped property (privy, structures, etc.), garbage,
- First Court Fine Imposed: March 3, 2022
- Total amount: \$44,559.00
- Collection Status: In collections since December 16, 2024; property owner disputes violations but never appeared for court proceedings

- Property Owner Notified: Yes, hand delivered to property owner

Case 5: 1145 28th

- Violation: Operating a business without land use approval, junk vehicles
- First Court Fine Imposed: February 2023
- Total amount: \$19,062.50
- Collection Status: In collections since March 26, 2024; property owner requested payment plan but failed to make payments
- Property Owner Notified: Yes, multiple contacts with property owner in court

Case 6: 1450 6th Street

- Violation: Residential use of an RV, garbage, junk vehicles
- First Court Fine Imposed: February 8, 2024
- Total amount: \$96,897.00
- Collection Status: In collections since December 30, 2024; no payments received
- Property Owner Notified: Yes, by certified mail

Case 7: 2189 Marcola Road

- Violation: Storing industrial vehicles, junk and debris on a residential tax lot
- First Court Fine Imposed: July 13, 2020
- Total amount: \$99,968.00
- Collection Status: In collections since October 28, 2021; no payments received
- Property Owner Notified: Yes, by certified mail

Total Delinquent Amount: \$355,053.00

Code compliance staff has verified that all underlying court orders are final and not subject to pending appeals or legal challenges.

FISCAL IMPACT**Revenue Recovery**

Implementation of the nuisance lien program will significantly enhance the City's ability to collect court-ordered fines totaling \$355,053.00. While immediate cash collection may be limited, liens provide long-term security for debt recovery and are commonly collected during property transactions such as sales or refinancing. Practically speaking, Springfield has successfully recovered 3 of 4 abatement liens imposed in the last two years, demonstrating the effectiveness of the lien mechanism.

However, it is important to note that City staff prioritize compliance over full cost recovery. The nuisance lien serves as both a collection tool and a compliance incentive. Staff intend to leverage potential reductions in the total fine amount as a negotiating tool of last resort in attempts to gain voluntary compliance and correction of code violations. This approach balances fiscal responsibility with the primary goal of eliminating community blight and safety hazards.

Administrative Costs

Administrative overhead costs associated with the lien process include notice preparation, mailing costs, recording fees, and staff time dedicated to case management and documentation.

These costs are recoverable and will be added to the lien amount as authorized by code. Administrative overhead is calculated at ten percent of the total fine amount, totaling approximately \$35,505.30 for the seven properties. Importantly, these administrative charges may be waived if property owners enter into voluntary compliance agreements that result in payment of the principal amounts and correction of underlying violations. This flexibility encourages cooperation while ensuring the City recovers its direct costs when voluntary compliance is not achieved.

Collection Agency Comparison

The current collection agency has returned zero payments on these debts despite holding them for periods ranging from 18 months to over four years. While typical collection agencies retain 25–35% of recovered amounts as fees, the City's contract allows for full recovery of the principal with a \$250 fee added to the fine. In contrast, the nuisance lien program provides a more cost-effective long-term recovery mechanism. When liens are satisfied, the City retains 100% of collected amounts (minus only the administrative costs already incurred). Additionally, liens remain attached to properties for up to ten years until satisfied, whereas collection agency efforts typically diminish over time. The lien mechanism also creates a stronger incentive for compliance, as property owners cannot sell or refinance their properties without addressing the outstanding debt.

POLICY CONSIDERATIONS

Equity and Fairness

Imposing nuisance liens ensures that property owners who violate city codes and ignore court-ordered penalties do not gain an unfair economic advantage over compliant property owners. The seven properties identified in this program have accumulated fines totaling over \$355,000 while neighboring property owners have invested time and resources to maintain their properties in compliance with city standards. The program reinforces the fundamental principle that court orders must be respected and enforced uniformly, regardless of a property owner's willingness to pay.

Without effective collection mechanisms, the City's code enforcement program loses credibility and deterrent effect. Property owners who successfully avoid payment of court-ordered fines effectively receive a financial benefit for non-compliance, creating a perverse incentive that undermines voluntary compliance efforts. The nuisance lien program restores equity by ensuring that all property owners face meaningful consequences for code violations and court-imposed penalties.

Industry Standard Practice

Nuisance liens are a widely recognized and utilized collection tool among Oregon municipalities for recovering delinquent court-ordered fines. Code enforcement liens are an established method for recovering costs for abatement of code violations or penalties, and are commonly filed in municipal lien dockets. Portland maintains an active lien program for housing, code compliance, nuisance, and demolition cases, with liens remaining attached to properties rather than property owners and transferring with the property at sale. Similarly, Portland's Development Services places liens on properties for uncorrected violations, giving the City rights to collect fines from the proceeds of any sale of the property. Eugene and Salem also maintain similar collection mechanisms for delinquent municipal court fines, demonstrating that nuisance liens are a standard practice across Oregon jurisdictions of various sizes for ensuring accountability and revenue recovery. The City of Springfield operates a municipal lien docket that could include

nuisance liens; nuisance liens that total over \$3,000 for a specific defendant can also be recorded with Lane County deeds and records.

Community Impact

Properties associated with code violations create significant negative externalities for surrounding neighborhoods. The seven properties currently identified have generated complaints related to dangerous buildings, illegal residential use, garbage accumulation, inoperable vehicles, ADA accessibility obstruction, and other conditions that directly impact neighborhood safety, property values, and quality of life.

Chronic nuisance and development code violations signal neighborhood decline and can trigger a cascade of disinvestment as neighboring property owners question the City's commitment to maintaining community standards. Research on the "broken window theory" demonstrates that visible signs of disorder and neglect, when left unaddressed, invite further deterioration and criminal activity. Consistent enforcement of court-ordered penalties through the nuisance lien program demonstrates the City's commitment to maintaining livable neighborhoods and protecting the investments of compliant property owners.

Furthermore, several of these properties have been in violation for multiple years—with one case dating back to 2020—imposing prolonged burdens on neighboring residents. The lien program provides a pathway to either achieve compliance or ensure that the costs of non-compliance are ultimately borne by the responsible parties rather than the broader community.

Due Process Protections

Springfield's nuisance lien process provides robust constitutional due process protections that exceed minimum legal requirements. Property owners receive notice through multiple methods including certified mail, regular mail, and if necessary, personal service pursuant to Oregon Rules of Civil Procedure Rule 7. This redundant notification approach ensures actual notice while protecting the City from procedural challenges.

Property owners receive a full 30-day payment window before any lien action is taken, providing ample opportunity to resolve debts or raise concerns. They may submit written objections at any time before 5:00 p.m. on the hearing date or appear in person at the City Council hearing to present oral or written objections. The public hearing format ensures transparency and allows property owners to be heard by elected officials before any final decision is made.

Importantly, these due process protections are layered on top of the extensive procedural rights already afforded during the underlying municipal court proceedings where the violations and fines were originally adjudicated. Property owners had full opportunity to contest the violations in court, present evidence, cross-examine witnesses, appeal adverse decisions, and satisfy any fines through reasonable payment arrangements. The lien process addresses only the collection mechanism for court orders that have already been finalized through the judicial process with full due process protections.

Deterrent Effect

Implementation of the nuisance lien program sends a clear and necessary message that the City will utilize all available legal tools to enforce code compliance and collect court-ordered penalties. The current zero-percent collection rate through the collections agency has created a

perception that Springfield's code enforcement system lacks meaningful consequences. This perception undermines voluntary compliance efforts and emboldens property owners who calculate that non-compliance is economically advantageous.

The nuisance lien program restores credibility to the enforcement system by demonstrating that court orders have teeth. When property owners understand that unpaid fines will follow their properties and must be resolved before sale or refinancing, the calculus shifts dramatically. This deterrent effect extends beyond the seven properties initially identified—it signals to all property owners that code violations carry real and lasting consequences. Over time, this should reduce the incidence of violations, decrease the burden on code enforcement staff, and promote a culture of voluntary compliance that benefits the entire community.

TIMELINE TO PROCEED

- **October 15, 2025:** Notice to property owners (certified, regular mail, personal service)
- **November 19, 2025:** Deadline for written objections (5:00 p.m.)
- **December 1, 2025:** City Council public hearing and adopt/not adopt resolution
- **December 2, 2025:** Written notice of Council decision mailed to property owners
- **December 2, 2025:** Liens recorded on City lien docket (if approved) and/or with Lane County deeds and records

RECOMMENDED ACTION: Staff recommends that the City Council:

1. Review this memorandum and accompanying information regarding the nuisance lien activity.
 2. Give direction to staff to proceed with a public hearing to consider a resolution to impose liens.
 3. Conduct a public hearing on December 1, 2025 to consider imposition of nuisance liens on the seven properties identified in this memorandum.
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