

MINUTES

Eugene Toxics Board
Fire Conference Room, Second Floor
Eugene Emergency Services Center
1705 West Second Avenue, Eugene

February 25, 2013
3:30 PM

PRESENT: Tom Carmicheal, Chair; Sheena Gardner, Alison Guzman, Christine Zeller-Powell, members; Joann Eppli, Fire and Emergency Medical Services staff; Fire Marshal Alan Gerard, Eugene & Springfield Fire; Ken Luse, Ben Sappington, guests.

ABSENT: Stephen Flanagan, Vice Chair; Rick Nicol, Randall Prince, members.

Mr. Carmicheal called the meeting of the Toxics Board to order at 3:40 PM.

I. INTRODUCTIONS/APPROVAL OF AGENDA

Those present introduced themselves.

II. PUBLIC COMMENT

Ben Sappington, representing the Eugene Area Chamber of Commerce, stated the Chamber continued to support the recommendation made by the Toxics Board at the January 23, 2013 meeting. As previously mentioned, the Chamber surveyed all companies that paid the fees and were required to report. Participating business representatives overwhelmingly stated they saw no value in the program, wanted it stripped down to bare bones, and redundancies eliminated. He urged the Board to keep the burden as low as possible on area manufacturers and job producing companies, by keeping the fees and reporting regulations as minimal as possible and as stated in the original charter approved by the voters.

III. FISCAL YEAR 2014 TOXICS PROGRAM FEE RECOMMENDATION RECONSIDERATION

Ms. Eppli directed Board members to the memorandum in the agenda packet dated February 21, 2013, from Ms. Eppli to the Eugene Toxics Board, subject Eugene Toxics Right-to-Know Program: Updated Recommended Budget and Fee Information for FY14.

Mr. Carmicheal agreed with the Chamber that the cost of managing the program should be as low as possible.

In response to Mr. Carmicheal, Ms. Eppli stated staffing the program was a full time job. The process to identify businesses that should be in the program would require a lot of staff time. She added the current information systems required to run the Toxics program took a lot of staff time to manage. At the same time, she is working with Information Services Department staff on the development of a new, more efficient system for records and data management that met the charter requirements and that will require less staff time in the future, which would take additional staff time during the development process. She

reviewed the program work plan with the Fire Marshal, Fire Chief and City Manager, and they agreed it was a full time job, but would accept a 90 percent staffing level funding for FY14, because that was all the program could afford. Since assuming management of the program, she had planned to clean the program up, and get the systems and processes in place so that the program could run mostly on autopilot.

Responding to Ms. Zeller-Powell, Ms. Eppli stated there would not be sufficient funding to cover the program at 100 percent even if all businesses that were required to pay the fee paid the \$2,000 maximum.

Ms. Guzman thought the Board's hands were tied because the charter and City Code required all program costs be covered by fees. She said the Toxics Board needed to continue to prioritize the program's work plan and minimize Ms. Eppli's workload.

Ms. Gardner mentioned that Ms. Eppli had shared her intent to streamline and bring the program current, and then work with the Toxics Board to reduce staff time in future years.

Ms. Eppli stated the Fire Chief had talked with Ms. Eppli and Mr. Gerard about moving program oversight to an administrative level rather than a management analyst level to reduce the cost of running the program. Unless the Board could recommend a viable way to expand the program, the program would not be sustainable in the future.

In response to Mr. Carmicheal, Ms. Eppli said a vote of the public would be required to eliminate the program.

Ms. Eppli directed Board members to a series of emails in the agenda packet, one of which was from Board member Rick Nicol, dated February 12, 2013. Mr. Nicol wrote: "Jo, I will vote to accept funding at the 90% level." In response to Mr. Carmicheal, Ms. Eppli stated she included this information as part of the meeting packet and public record.

Ms. Zeller-Powell, seconded by Ms. Guzman, moved that the Toxics Board approve funding for the Toxics Right-to-Know Program at the 90 percent staffing level. The vote on the motion was tied, 2:2, with Ms. Guzman and Ms. Zeller-Powell voting in favor of the motion, and Mr. Carmicheal and Ms. Gardner voting against the motion. Ms. Eppli cast Mr. Nicol's vote in favor of the motion, and the motion passed 3:2, with Ms. Guzman, Ms. Zeller-Powell and Mr. Nicol voting in favor of the motion, and Mr. Carmicheal and Ms. Gardner voting against the motion.

Referencing the updated fee calculation sheet, Ms. Eppli said newly-identified businesses would be added by July 1, 2013, bringing an approximate additional 150 full time equivalent (FTE) employees into the fee calculation. This would result in an increase of only \$3.69 per FTE, which would cover a 90 percent staffing level for FY14. She added as staff time is reduced, more of the work burden would be shifted to Toxics Board members.

Ms. Eppli said the recruiting period for Toxics Board members would close at the end of March 2013.

IV. NEXT SCHEDULED MEETING

April 2, 2013, 3:30 PM.

The meeting adjourned at 3:53 PM.

(Recorded by Linda Henry)