

STAFF NOTES

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

(99 East Broadway, Suite 400, Eugene, OR 97401-3111)

Eugene City Hall Council Chamber
777 Pearl Street, Eugene

February 7, 2008
7:00 p.m.

Annexation of Territory to the City of Eugene (3585 Emerald LLC)

IV.E. BC File C EU 08 – 21

Initiated by property owner petition

Action under ORS 199.490(1)(c) of the boundary commission law

Received December 31, 2007

Action to be taken by March 30, 2008

Description

As submitted, the annexation area includes one tax lot located in the Santa Clara region of north Eugene, north of Beltline Road, east and adjacent to Ferndale Drive, north of Irving Road, and south of Oak Leaf Drive

Property owner¹: 3585 Emerald LLC (345 Blackfoot, Eugene)

Tax lot: 600, T17S R04W S11 Map 31

Acres: ± 0.65

Estimate of existing population: 0 (one residential unit)

Existing land use: Residential

Existing zoning in Lane County: R-1/UL, low-density residential with urbanizable lands overlay

Applicable comprehensive plan: Eugene-Springfield Metropolitan Area General Plan (acknowledged in August 1982 and has been subsequently amended)

Existing public services to the property: Police (Oregon State Police, Lane County Sheriff), schools (Eugene School District 4J), roads (Lane County, City of Eugene), water (Santa Clara Water District), fire (Santa Clara RFPD), wastewater (City of Eugene), electricity (EWEB)

Reason for Annexation

The annexation is being requested in order to prepare the annexation area for future residential development. The Eugene-Springfield Metropolitan Area General Plan requires properties to annex in order to receive urban services.

Notice

As required by ORS 199.463(1), notice of a public hearing must be published in a newspaper of general circulation not more than 25 days nor less than 15 days before the hearing. *In this case, notice of the public hearing was advertised in The Register-Guard*

¹ Property owner means the owner of the title of real property or the contract purchaser of real property as shown on the last available complete assessment roll. ORS 199.415(13)

on January 17, 2008. A second notice may be published in a newspaper of general circulation or notice of the hearing may be mailed to each owner of land in the affected territory,² as described in the petition,³ not more than 15 days before the hearing. In this case, notice of the hearing was sent to the affected property owner (Diana Cantwell, on behalf of 3585 Emerald LLC, owner of the private property proposed for annexation and initiator of this annexation request) on January 25, 2008. The final notice required by the boundary commission law is the posting of a notice of the public hearing in the affected city, district, or territory at least 15 days before the hearing. In this case, notice of the public hearing was posted in the area of the annexation, at the Eugene city hall, and at the Lane County courthouse on January 23, 2008.

In conformance with OAR 191-005-0065(3), these staff notes are incorporated as part of the record of the boundary commission public hearing of February 7, 2008.

This annexation proposal was filed with the boundary commission in accordance with ORS 199.490(1)(c), initiated by the property owner—Diana Cantwell consented on behalf of the corporation. The statutory provision to receive consent from owners of more than one-half the land area is met. The proposal was filed on December 31, 2007, and boundary commission action must occur by March 30, 2008 (90-day statutory time frame).

When property owners initiate an annexation, the affirmative decision of the boundary commission made at a public hearing is subject, if requested, to a remonstrance within the affected territory. If, within 45 days of the commission's action, 10 percent or 100 whichever is lesser, of the electors in the affected territory sign a remonstrance petition, an election will be conducted within the territory. In this case, it is tax lot 600, T17S R04W S11 Map 31. The end of the 45-day remonstrance period on this annexation request, if approved, is March 24, 2008. At the time of submittal, there were no active electors⁴ registered within the annexation area.

The proposed annexation area includes one tax lot, which is currently developed with one residential unit (refer to Maps No. IV-E-1 and IV-E-2). The annexation area, as submitted, is contiguous to the main body of the City of Eugene and is located within the urban growth boundary (UGB). The UGB is located approximately 4,200 feet north of the annexation area.

The annexation area is designated low-density residential in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and the River Road-Santa Clara Urban Facilities Plan and is zoned R-1/UL, low-density residential with urbanizable lands overlays, in Lane County. Upon the effective date of the annexation, the urbanizing fringe overlay will automatically be removed and the property will be zoned R-1 consistent with the plan designation.

² Affected territory means the territory described in the petition. ORS 199.415(3)

³ Petition means the documents required to initiate a boundary change and includes, but is not limited to, an initiating document, legal description, cadastral maps, and information form. ORS 199.415(14), ORS 199.490(4), and OAR 191-006-0000(3)

⁴ Elector means an individual registered to vote at an address within the affected territory. ORS 199.490(1) and (5) and ORS 199.505

If the annexation area is approved as submitted, it will create an islanded area⁵ consisting of 2 properties that will remain outside of the city limits.

T17S R04W S02 Map 11

Tax lot 700, owned by Stephen and Karen Meyer, 2737 Ferndale Drive, Eugene, 97404

Tax lot 800, owned by Grant Springer, 395 Irving Road, Eugene, 97404

Oregon law allows a city to initiate the annexation of island area without the consent of the property owners or electors. The properties within the potentially islanded area are shown on Map No. IV-E-2. **None of these lots are included in this annexation request.** All of the property owners were sent a copy of this staff report. The City of Eugene currently supports annexation that are initiated with the property owner's consent.

BOUNDARY COMMISSION REFERRALS

Boundary commission referrals were sent to the Lane County Land Management Division, Lane County Environmental Health Division, Lane County Board of Commissioners, Santa Clara Rural Fire Protection District (RFPD), and Santa Clara Water District.

The Santa Clara Water District submitted a letter (attached as Exhibit IV-E-1) objecting to this proposal because the district will lose customers if the property is annexed to the City of Eugene.

Boundary commission staff responds that the water district derives its revenue directly from user fees and its revenues will be reduced as a result of annexation. The property is developed with one single-family dwelling. However, development to urban densities can only occur with the provision of urban services. Urban services are provided to developing properties through annexation to the City of Eugene. Without annexation to the city, the potential for new development at urban densities does not exist under the existing metropolitan policy framework.

The water district questioned whether or not the proposed annexation area is actually contiguous to the city limits. Boundary commission staff responds that SB 417 past in the 2007 legislative session requires annexation requests submitted prior to January 1, 2008, be processed consistent with the provisions in ORS Chapter 199. Annexation requests submitted after January 1, 2008, are to be processed consistent with the provisions in ORS Chapter 222. ORS Chapter 199 has no requirement for contiguity; therefore, the question is not applicable.

The water district also noted that development in the annexation area will be served by water mains that belong to and are maintained by the water district without reimbursement for its costs. The district currently has an intergovernmental agreement with the Eugene Water & Electric Board (EWEB), which contemplates annexations and service transfers in the River Road-Santa Clara area. That agreement addresses the issues of ownership and maintenance of the water transition facilities in annexing areas. Consistent with the agreement, EWEB maintains all lines within the district boundaries. The agreement acknowledges that water service to annexed areas

⁵ Islanded area means an area that is not within a city and is surrounded by the city limits, or by the city limits and the ocean shore or a stream, bay, lake or other body of water. ORS 222.750

shall become the responsibility of EWEB and EWEB agrees that annexation of portions of the district will not affect supply of water or service to remaining customers of the district. Discussion about compensation to the district for expenses incurred as a result of past water system construction would most appropriately occur between the water district and EWEB. The existing intergovernmental agreement is renegotiated periodically and could provide a forum for the two bodies to discuss this issue.

The Metro Plan requires annexation to the city before urban services and facilities can be extended and development can proceed—without annexation to the city, new development is not possible. This policy document has been in place since 1982 and identifies the ultimate provider of urban services and facilities to be the city. The Metro Plan acknowledges that single service providers will be affected by the growth of the city through annexation and that over time, special districts within the urban growth boundary will be dissolved.

No other referral responses were received as of January 30, 2008.

BOUNDARY COMMISSION STANDARDS - STAFF ANALYSIS

In this section of the staff notes, each applicable boundary commission standard is addressed. These standards are derived from ORS 199 and the boundary commission's policy administrative rule (OAR 191, Division 30).

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of governments. ORS 199.410(1)(b) and 199.410(3)(c)

This annexation request was filed in accordance with provisions in ORS 199 and was determined to be a valid filing in accordance with OAR 191-006 (adopted administrative rule on boundary commission filing requirements). The item was placed on the boundary commission's agenda for February 7, 2008. Notice of the boundary commission's public hearing has been published in accordance with Oregon law. Any person may attend and will be given a reasonable opportunity to be heard.

The proposed annexation area is within the Santa Clara Water District, which contracts with EWEB for services, including water supply, distribution, storage, maintenance, billing, and administration. The water district does not currently levy taxes on any property within its boundaries. If the annexation is approved, the annexation area will be withdrawn from the water district through separate proceedings by the City of Eugene in accordance with ORS 222. Withdrawal of the annexation area will reduce revenues currently received by the district because the district derives its revenue directly from user fees and the proposal area is developed with one single family residence. In the long term, continued annexations in the Santa Clara area will reduce the service area of the water district. The Metro Plan recognizes that existing service districts within the urban growth boundary will, over time, be dissolved (policy #18, page II-C-6). Intergovernmental agreements are one method that can be used by the district and the city to address transition issues raised by annexation.

The annexation area is in the Santa Clara RFPD. Upon the annexation effective date, the area will be automatically withdrawn from the district in accordance with ORS 199.510(2)(a) and the city will provide fire protection and emergency medical services to the proposed annexation area. Prior to July 1, 2002, the Santa Clara RFPD and the City of Eugene had an intergovernmental agreement that provided for an in-lieu-of tax payment to the district when properties were withdrawn due to annexation to the city. The two governments were involved in a cooperative effort to plan for the transition to the provision of fire services by the city. Negotiations for a revised agreement were unsuccessful and the intergovernmental agreement that had existed between the city and district for approximately 20 years terminated on June 30, 2002. As annexations to the city continue, the size of the district will be reduced. At some point in the future, the district likely will be unable to continue to provide fire and emergency medical services efficiently and economically within its boundaries.

The Metro Plan identifies the city as the ultimate provider of urban services within the UGB. Policy #18, page II-C-6, in the Metro Plan recognizes that as annexations to the city occur, existing special service districts within the UGB will be dissolved. The continued annexation of properties to the City of Eugene is consistent with the Metro Plan, which likely will result in the elimination of special districts within the urbanizable area. Perhaps in the future, the city and districts will be able to develop intergovernmental agreements addressing transition issues including the orderly dissolution of the districts.

Upon annexation, the area will be annexed automatically into the Lane County Metropolitan Wastewater Service District [ORS 199.510(2)(c)]. This special district was formed to provide the financing for the regional wastewater treatment plant serving wastewater users within the cities of Eugene and Springfield and other users within the urbanizable area.

This request is consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

The annexation area is located within the acknowledged urban growth boundary of the Metro Plan. Territory within the UGB ultimately will be within the City of Eugene. Eugene is the unit of government identified in the Metro Plan to provide urban services to territory in this area. The annexation area is contiguous to the main body of the City of Eugene. Annexation of tax lotted property fulfills the policies adopted in the Metro Plan of annexing out to the urban growth boundary.

This annexation is consistent with boundary commission administrative rule implementing policies (1), (2), (5), and (7) which recognize annexation to an existing city as the preferred method of servicing urbanizable land.

- (1) This policy recognizes cities as the logical providers of urban levels of service within urban growth boundaries when consistent with the comprehensive plan.
- (2) This policy expresses the commission's preference for providing urban services through annexation to a city in order to provide urban services to urbanizable lands.
- (5) This policy encourages the provision of urban levels of service within urban growth boundaries.
- (7) This policy expresses the commission's preference for annexation to an existing city over all other alternatives as a means of extending services to urbanizable lands.

Implementing policy (3) recognizes that in order to meet the long-term objectives of annexing out to an acknowledged urban growth boundary, short-term boundaries are created which are logical within the context of the future service boundary. In the long term, all territory within this geographic area will be annexed to Eugene.

The annexation request is consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b) and (d)

The annexation area is within the Metro Plan urban growth boundary. The Metro Plan was acknowledged by the Land Conservation and Development Commission (LCDC) in August 1982 and has been subsequently amended. The Metro Plan recognizes annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas (policies #8 and #10, page II-C-4) and recognizes that ultimately, all territory within the urban growth boundary will be annexed to an existing city (policy #16, page II-C-6).

The annexation area is designated low-density residential in both the Metro Plan and the River Road-Santa Clara Urban Facilities Plan. If the annexation is approved, the annexed area will be rezoned to a city R-1 zone consistent with the low-density residential plan designation.

The annexation area will take advantage of urban service delivery systems that are already in place to serve this area. The following facilities and services are either available or can be extended to the annexed area.

Water – Through an intergovernmental agreement with the Santa Clara Water District, EWEB currently provides water service to developed properties in the Santa Clara area. In addition,

EWEB is responsible for the day-to-day operations, maintenance, and billing functions of the Santa Clara Water District. EWEB indicates there is an existing 6-inch water main located in Ferndale Drive. Following annexation, the annexed area will be withdrawn from the water district and EWEB will provide service directly.

Electricity – EWEB staff indicated it provides electric service to developed properties in this area of north Eugene. New development in the annexation area will be served by EWEB. Service to the annexation area would be from existing underground facilities in Ferndale Drive that currently serve the existing residential unit.

Police services – Eugene planning staff indicates that police protection can be extended to the annexation area upon annexation consistent with service provision throughout the city. Police currently provide service to other properties in this general area already inside the city. Service will be provided to the annexation area consistent with the call and response method used by the city. After annexation, this proposal area will receive police services on an equal basis with properties inside the city. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services – Fire protection is currently provided by the Santa Clara RFPD. If approved and upon the effective date of the annexation, the annexed area will be withdrawn automatically from the fire district and the city will provide fire protection services to the annexation area. The intergovernmental agreement that existed between the city and the fire district for approximately 20 years terminated June 30, 2002.

The City of Eugene purchased property on Santa Clara Avenue in the Santa Clara area and built a permanent fire station there. A City of Eugene fire engine, staffed 24 hours a day, has been in place at that location since July 1, 2002, for the purpose of providing primary fire and emergency medical first response to the annexed properties in the Santa Clara area. In addition, the city and the district have negotiated an automatic mutual aid agreement that provides for each agency to respond to emergency calls in the other's jurisdiction in the event the primary engine company is already committed on another call or otherwise unavailable for service.

Emergency medical transport (ambulance) services are provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the Santa Clara area. The area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other's jurisdictions.

Parks and recreation – Eugene planning staff indicates a minimum level of park services can be provided to the proposal area as prescribed in the Metro Plan. Awbrey Park is located on River Road, just north of Spring Creek Drive. Arrowhead Park is located on Arrowhead Street, just south of Irvington Drive.

The city is continuing to explore possibilities for additional acquisitions of land for future park sites in the River Road and Santa Clara areas. There are two county owned regional facilities,

Hileman and Whitely boat landings, located along the eastern edge of Santa Clara. Other regional park and recreation facilities are located throughout the metropolitan area. City of Eugene parks, recreation, and cultural services programs are available to city residents in the Santa Clara area on an equal basis with residents throughout the city.

The need for additional park and recreation sites and facilities, after a majority of the Santa Clara area is annexed, has been identified in the city's parks master plan. All subdivisions occurring in the Santa Clara area are being reviewed by city parks planning staff to determine if land should be reserved for future park sites. In addition, the Santa Clara area is included in the park land acquisition plan being prepared by city parks planning staff. Systems development revenues generated by development on these sites will help to fund future park acquisition and development throughout the city.

Schools – The annexation area is in Eugene School District 4J. Existing schools—Spring Creek elementary, Madison middle, and North Eugene high—serve this neighborhood and can accommodate students resulting from new development occurring within the annexation area.

Wastewater – Eugene public works staff indicates the existing residence within the annexation area is connected to an 8-inch public wastewater system located in Ferndale Drive. This system is available to serve additional development.

Stormwater – Eugene public works staff indicates there are no stormwater facilities within the abutting Ferndale Drive. An open waterway traverses the annexation area, which was identified in the city's 1990 OTAK drainage master plan as having many deficiencies under existing conditions. These downstream restrictions have not been resolved. All development is subject to the city's stormwater development standards, which include pollution reduction in addition to destination standards. Development of the annexation area would require the applicant to either demonstrate sufficient capacity and resolving downstream constructions, or detain stormwater runoff on-site such that post-development peak flows don't exceed pre-development levels. Alternately, on-site retention via infiltration may be an option if the applicant can demonstrate that the on-site soils and the seasonal high water table would enable infiltration in accordance with the requirements of the city's stormwater management manual. These concerns will be addressed at the time of development.

Streets – Eugene and Lane County public works staff indicate the annexation area abuts Ferndale Drive to the west and is two properties north of Irving Road. This segment of Ferndale Drive is already within city limits, but is not improved to city standards. Ferndale currently has an approximate 20-foot wide asphalt mat with gravel shoulders, which meets minimum requirements for facilitating safe passage of two-way vehicles, within 40 feet of right-of-way abutting the annexation area. Since Ferndale is not identified on the city's adopted street classification or right-of-way maps, the functional classification is based on average daily traffic (ADT) and the street widths are prescribed by city code. The functional classification of Ferndale appears to be a medium volume residential street, with an ADT exceeding 750 trips, which is required to have between 20 and 34 feet of paving within 50 to 60 feet of right-of-way. Additional right-of-way and street improvement needs (paving, gutter, curb, stormwater

facilities, street lights, street trees, and sidewalks) will be determined more precisely at the time of development.

Solid waste management – Private firms and individuals collect and transport solid waste to the Lane County administered landfill.

Communication facilities – Various providers offer both wire and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to future development in this area.

Land use controls – The annexation area is within Eugene’s portion of the urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Eugene, the city already has planning and building jurisdiction for this property. The city will continue to administer land use controls after annexation.

The minimum level of key urban facilities and services, as defined on page V-3 of the Metro Plan, are either immediately available or can be provided within a reasonable future time frame as needed. This request is consistent with this standard.

Consider the comprehensive plan’s economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

The annexation area is consistent with the Metro Plan, as it is an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the metropolitan community. The existing and proposed residential uses are consistent with the long-range plan for the area and annexation will fulfill the growth policies in the Metro Plan and in Oregon law.

This request is consistent with this boundary commission standard.

STAFF RECOMMENDATION

The boundary commission staff recommends that the proposed annexation to the City of Eugene (BC File C EU 08 – 21) be approved as submitted based on the following findings and reasons.

The findings are organized to respond to boundary commission standards outlined in ORS 199, the boundary commission law. The following findings and reasons are based on approval of the request as submitted. If the boundary commission modifies or denies the proposal, the findings and reasons would need to be adjusted.

Findings:

1. This proposal was initiated with the Lane County Local Government Boundary Commission by the property owner on December 31, 2007, in accordance with ORS 199.490(1)(c). The proposal was found to be a valid filing under OAR 191-006.
2. The proposed annexation, as submitted, included one tax lot (600, T17S R04W S11 Map 31), which comprised about 0.65 acres and was owned by 3585 Emerald LLC. The tax lot was developed and was contiguous to the main body of the City of Eugene.
3. The land use designation for the annexation area was low-density residential in both the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and the River Road-Santa Clara Urban Facilities Plan.
4. The annexation area was zoned R-1/UL, low-density residential with urbanizable lands overlay, in Lane County. After the annexation effective date, the annexation area would be rezoned to R-1 consistent with the land use designation.
5. Approval of the annexation resulted in two properties being totally surrounded by properties annexed to the city (tax lots 700 and 800, T17S R04W S11 Map 31). These tax lots were not included in the annexation area

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of government. ORS 199.410(1)(b) and 199.410(3)(c)

6. The boundary commission held a public hearing on February 7, 2008. Notice of the public hearing was given in accordance with ORS 199 provisions. All interested parties were given a reasonable opportunity to be heard.
7. Upon the annexation effective date, the annexation area was withdrawn from the Santa Clara Rural Fire Protection District [ORS 199.510(2)(a)] and fire services were provided by the City of Eugene.
8. Withdrawal of the annexation area from the Santa Clara Water District had some financial impact because the water district derives its revenue from user fees and the annexation area was developed. The annexed area would be withdrawn from the Santa Clara Water District through separate proceedings by the City of Eugene in accordance with ORS 222. On behalf of the City of Eugene, the Eugene Water & Electric Board provided service directly to the annexation area.
9. Upon the effective date of the annexation, the annexed area was annexed automatically to the Lane County Metropolitan Wastewater Service District in accordance with ORS 199.510(2)(c).
10. This request was consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

11. Annexation to the City of Eugene was identified in the acknowledged Metro Plan as the preferred method for providing key urban facilities and services to the River Road-Santa Clara area in policies in Chapter II, sections C and F.
12. Annexation to an existing city was the method for extending urban facilities and services to urbanizable land in the boundary commission's policy administrative rule, implementing policies (1), (2), (5), and (7).
13. The proposed annexation was the means of boundary change outlined in the Metro Plan and the boundary commission administrative rules for ultimately providing urban facilities and services to this territory. Annexation of tax lotted property assisted in fulfilling the Metro Plan policies of annexing out to the urban growth boundary.
14. This request was consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b), and (d)

15. The annexation area was within the urban growth boundary of the acknowledged Metro Plan [Land Conservation and Development Commission (LCDC) action in 1982 and as subsequently amended]. Annexation of this tax lotted property assisted in fulfilling the Metro Plan policies of annexing out to the urban growth boundary.
16. The Metro Plan recognized annexation to the City of Eugene as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas.
17. The existing and proposed use was consistent with the policies in the Metro Plan and River Road-Santa Clara Urban Facilities Plan requiring urban levels of development within the urban growth boundary.
18. The City of Eugene indicated that the required services outlined in Metro Plan policy #8, page II-C-4 and defined on page V-3, were either available or could be provided in a timely manner.
19. This request was consistent with this standard.

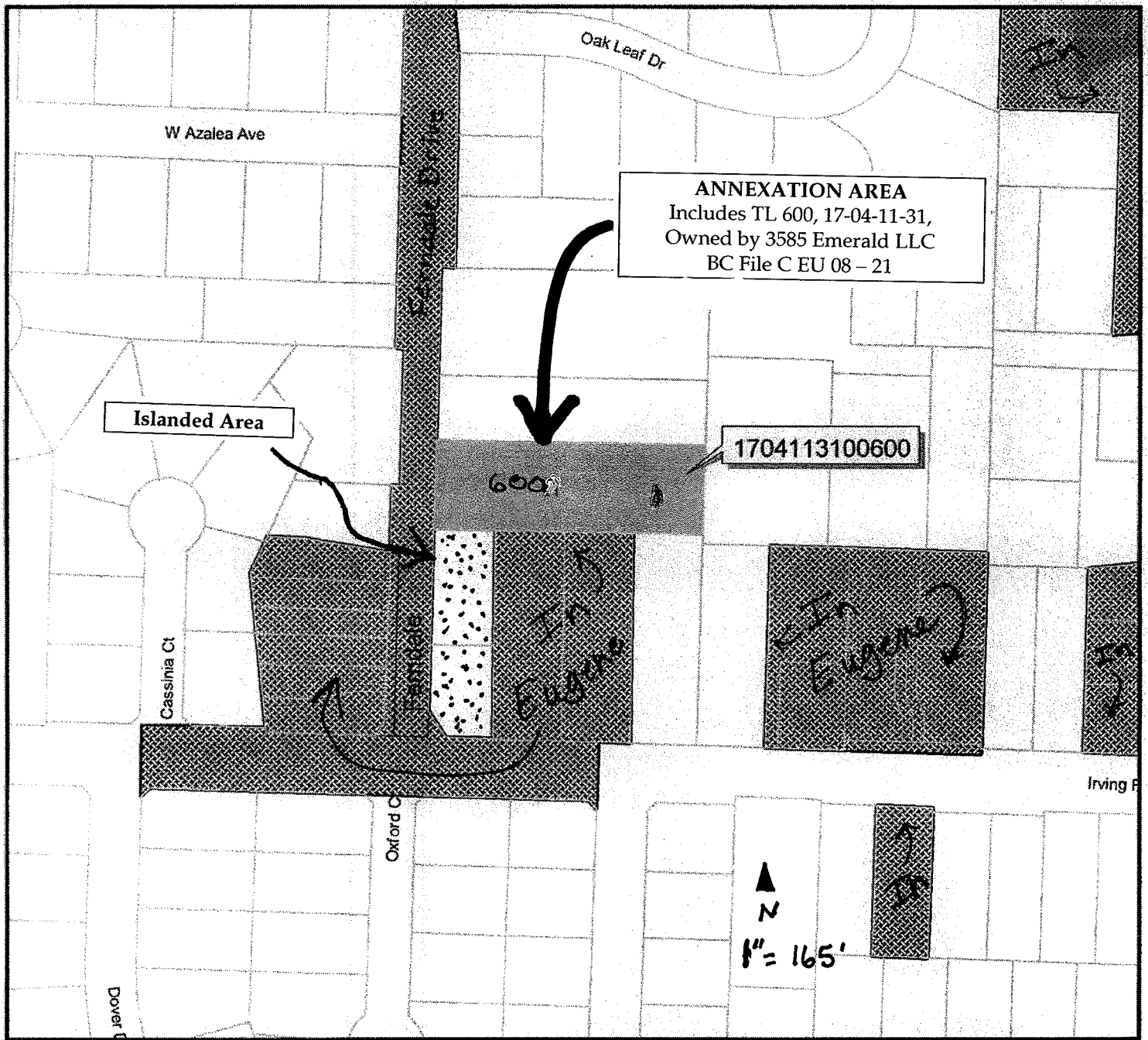
Consider the comprehensive plan's economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

20. The annexation proposal was consistent with the Metro Plan, as it was an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the metropolitan community. The existing and proposed residential use was consistent with the long-range plan for the area.
21. This request was consistent with this standard.

Reasons:

1. The proposal was supported by the City of Eugene and the property owner.
2. The proposal was consistent with the LCDC acknowledged Metro Plan.
3. The services required in the Metro Plan were either available or could be provided in a timely manner when needed.
4. The proposal was consistent with past boundary commission actions supporting annexation of territory in River Road and Santa Clara to the City of Eugene.
5. The proposal was consistent with boundary commission administrative rule policies.

*LCBC:LCOG: L:\BCS\N2008\CEU0821 SN.DOC
Last Saved: February 1, 2008*



SANTA CLARA WATER DISTRICT

P.O. Box 10086 • Eugene, Oregon 97440
(541) 726-0681

January 15, 2008

Lane County Local Government Boundary Commission
99 East Broadway – Suite 400
Eugene, OR 97401

Re: CEU 08 – 1, 10, 13, 18, 21.

The Santa Clara Water District has received five notices of owners of real estate that have filed notices to annex their property into the City of Eugene and withdraw the same from our area.

Again, we have several reasons for opposing these withdrawals from our district and some of them are as follows: We would like to have all public officials realize that water that will be supplied to homes that will be constructed on these properties must pass through water mains that belong to and are maintained by Santa Clara Water District. Still no one has ever made a suggestion or an offer to reimburse us for our costs. Santa Clara Water District will lose two customers and a minimum of eighty potential new customers that would have helped us provide funds to continue to maintain our present water system and maintain and expand the street lighting system we now have.

Also, we have been informed that beginning January 1, 2008 a property cannot be annexed into the City of Eugene unless it is already contiguous. CEU 08-01 and possibly 10, 13 and 21.

Santa Clara Water District is hereby going on record as protesting these petitions and we call for public hearings on these petitions.

We also request that a copy of this protest be furnished to the Executive Director of the Lane County Boundary Commission and to each of the Board members prior to the next Board meeting.

Yours very truly,



Richard E. Rice, Clerk

