



Eugene City Council

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www.eugene-or.gov

AMENDED AGENDA EUGENE CITY COUNCIL

November 13, 2018

**7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**Meeting of November 13, 2018;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Mike Clark, President
Greg Evans
Emily Semple
Jennifer Yeh

Betty Taylor, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

Note: This agenda has been amended to reflect the addition of Item 5.

**7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. PUBLIC FORUM

3. CONSENT CALENDAR

A. Approval of City Council Minutes

- a. October 8, 2018, Meeting
- b. October 10, 2018, Joint Meeting
- c. October 15, 2018, Work Session
- d. October 22, 2018, Meeting
- e. October 24, 2018, Work Session

B. Approval of Tentative Working Agenda

**C. Adoption of a Resolution Annexing Land to the City of Eugene
(Assessor's Map 17-04-11-13, Tax Lot 1400—Located at 183 Ferndale
Drive) (McGinley; A 18-5)**

- D. Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-13-32, Tax Lot 5200 — Located on Owosso Drive) (City File: Day Joint Trust; A 18-6)**
 - E. Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 18-03-16-30, Tax Lot 100 — Located on Spring Boulevard)(City File: Margot Zallen Revocable Trust; A 18-7)**
 - F. Adoption of a Resolution Amending Resolution No. 5218 Concerning a Low-Income Rental Housing Property Tax Exemption Renewal for Property Located on Ross Lane and on Helen Street, Eugene, Oregon. (Applicant St. Vincent de Paul Society of Lane County, Inc.)**
 - G. Appointment of Civilian Review Board Representative to Police Commission**
- 4. ACTION: An Ordinance Extending the Term of Ordinance No. 19775 and Ordinance No. 20397 Granting to Comcast of Oregon II, Inc. a Franchise for Operation of a Cable Telecommunications System.**
- 5. EWEB Property Update**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: November 13, 2018

Department: Central Services

www.eugene-or.gov

Agenda Item Number: 2

Staff Contact: Beth Forrest

Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: bforrest@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: November 13, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the 2018 Meetings on October 8 and 22; the October 10, 2018, Joint Meeting of the Eugene City Council and the Lane County Board of Commissioners; and the Work Sessions on October 15 and 24, 2018.

ATTACHMENTS

- A. October 8, 2018, Meeting
- B. October 10, 2018, Joint Meeting of the Eugene City Council and Lane County Board of Commissioners
- C. October 15, 2018, Work Session
- D. October 22, 2018, Meeting
- E. October 24, 2018, Work Session

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

MINUTES

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

October 8, 2018
7:30 p.m.

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pyror

Mayor Vinis opened the October 8, 2018, meeting of the Eugene City Council.

1. CEREMONIAL MATTERS

Mayor Vinis welcomed students and advisors from Lane Community College to help recognize and honor Indigenous People's Day.

2. PUBLIC FORUM

1. David Piccioni – shared thoughts about the World Trade Organization and the environment.
2. Marcus Lanskey – asked council to address pedestrian safety issue at Amazon and Potter Street.
3. Carol Scherer – thanked council for proposed resolution in opposition to Measure 105.
4. Lauren Herbert – urged City Council to publically oppose Measure 105.
5. Jim Neu – asked Council to look into the Northwest Natural Gas franchise agreement.
6. Stefan Strek – talked about free speech and a new City Hall.
7. Eric Jackson – asked council to stop enforcing anti-camping laws and criminalizing homelessness.

Council Discussion

- Have requested stop signs on East Amazon; makes sense to put them at East Amazon and Potter to slow down traffic and make it safer.
- It was a mistake to ban smoking downtown.
- People need a place to sleep; consider looking at the field off of 7th Avenue, near Washington-Jefferson Park.
- A much more robust public shelter is needed, but reject the notion that enforcing the camping ban is criminalizing homelessness.

3. CONSENT CALENDAR

- A. Approval of City Council Minutes
 - a. September 24, 2018, Work Session
 - b. September 24, 2018, Meeting
- B. Approval of Tentative Working Agenda
- C. Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-23-44, Tax Lots 4300, 4400 and 4500 — located on Filbert Avenue) (City File: Monkey Hero, LLC; A 18-3)

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to approve the items on the Consent Calendar. **PASSED 8:0**

The meeting adjourned at 8:02 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Joint Meeting of the Eugene City Council and Lane County Board of Commissioners
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**October 10, 2018
12:00 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor

Commissioners Present: Jay Bozievich, Pat Farr, Pete Sorenson, Gary Williams

Commissioners Absent: Sid Leiken

Mayor Vinis and Commissioner Bozievich opened the October 10, 2018, Joint Meeting of the Eugene City Council and Lane County Board of Commissioners.

**1. WORK SESSION: Public Shelter Feasibility Study and Homeless Service System Analysis
Mid-Project Presentation by the Technical Assistance Collaborative**

Policy Systems Analyst Jason Dedrick gave context for the TAC project and presentation and introduced Gina Schaak, Elizabeth Stewart, and Douglas Tetrault, staff from the Technical Assistance Collaborative to give a mid-project presentation.

Discussion

- Appreciation expressed for the preliminary TAC report; have been working towards a low-barrier shelter recognizing that it is a critical piece currently missing in the community.
- Question asked about the point-in-time count and why the numbers have fluctuated so much over the years.
- Addressed the system modeling done by TAC; it shows that there is no silver bullet solution to address homelessness and more will need to be done than the addition of a shelter.
- Acknowledged that the problem of homelessness has no jurisdictional boundaries; there is a city-county partnership involved in this structure.
- The focus of recent work is on a system that responds to people who are in a state of homelessness; consider additional analysis on the differences and challenges of the people flowing through the system.
- Question asked about other barriers to entry besides the lack of wet beds and what else might be stopping people from accepting services.
- Coordination is very important to ensure people know who is providing what service and to avoid unnecessary duplication.
- Question asked about prevention resources in Lane County right now and whether that information will be incorporated into the TAC report.
- The community goal should be to do a better job of addressing the inhumane conditions homeless people face, with the ultimate goal of eliminating homelessness altogether.
- Non-profit groups in our community are collapsing under the weight of the growing demand they are seeing as service providers; government needs to take on more responsibility.
- More data is needed about how much the proposals are going to cost and where that money is going to come from.
- Interest expressed in hearing about the human side of what the response needs to be in addition to cost, etc.

- Questions asked about move-on units and coordinated entry.
- Important to consider compliance barriers including pets, couples who want to stay together, and potential PTSD-triggering conditions when being housed around others.
- Consider the gaps in the mental health services as work is done to address the homeless service system.
- Acknowledge the need for buildable lands for housing and look into incentives for housing investments.
- Question asked about using a cost effectiveness metric to help decide where spending makes the most sense.
- This preliminary report feels fundamentally different; it has the focus, analysis, and coordination that will help facilitate real progress.
- Question asked about whether any part of the study addressed the origin of homeless people in Eugene, what percentage are from here, and what percentage move here and then find themselves homeless.
- Concern expressed about whether increasing the community's capacity to address the needs of the homeless will result in more people moving to the area for these services.
- Appreciation expressed for the focus on geographic and demographic locations to make sure services are spread out equitably and appropriately.
- Consider the inclusion of single-room occupancy units as part of the housing solution.
- Question asked about why the report recommends a 50-75 bed shelter.

The meeting adjourned at 1:31 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).

MINUTES

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

**October 15, 2018
5:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pyror

Mayor Vinis opened the October 15, 2018, Work Session of the Eugene City Council.

1. WORK SESSION: Modifications to the Transportation System Development Charge Methodology

Public Works Director Sarah Medary and City Engineer Mark Schoening provided background on systems development charges including legislative history, public hearing comments and an overview of the proposed amendments to the TSDC methodology.

Council Discussion

- Clarification requested about the proposed annual caps for non-Accessory Dwelling Units and how they would be applied each year.
- Support expressed for the staff recommendations because they are a rational response to a complex challenge.
- Interest expressed in reducing the cost of building and removing barriers as a way to provide more housing.
- Consider moving forward with the staff recommendations and see what it does to the building landscape, then review and discuss further.
- Question asked about whether there was a timeline that council is locked into to make this decision.
- Interest shared in waiting on making the TSDC decision until after there is more information about how they will affect the affordable housing conversation.
- Concern expressed that the caps would be too low to make a difference in ADU numbers and would be applied indiscriminately if they were first-come, first-serve.
- Interested in seeing what this looks like in context of making housing more affordable in the community.
- More inclined to start with no cap and then revisit in a few years.
- Concerned about any increase in SDCs; don't want to negatively affect builders until other potential impacts are identified and understood.
- There is a widely shared opinion that it should be easier to build an accessory dwelling unit.
- The purpose of SDCs is to cover the cost of growth.
- This proposal sends the message that it's going to be more expensive to build in this area now.
- Request made for a list of building projects that would not move forward if changes are made.
- The risk of removing the cap is fairly small in terms of council's ability to regroup.
- Even after proposed increase, the local rates are substantially lower than most cities in Oregon.
- The imposition of a cap is a good idea because it creates certainty for budgeting issues.
- If this is a big concern for developers, consider other ways to incentivize or offset SDC costs.
- The first and second motions move the City forward and in the right direction.
- By taking this action, the council is increasing the cost of building homes.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to direct the City Manager to revise the TSDC amendments that will be proposed for Council action by: imposing the increase in the SDC rate in two steps, charging ½ of the proposed increase for the first 12 months, then charging the full rate after 12 months. **PASSED 5:3**, Councilors Clark, Evans and Semple opposed.

MOTION AND VOTE (*including friendly amendment*): Councilor Clark, seconded by Councilor Taylor, moved to direct the City Manager to revise the TSDC amendments that will be proposed for Council action by: reducing the TSDC for accessory dwelling units by 100 percent, instead of the 50 percent initially proposed by staff, including the reference that it affects homes 800 square feet or less. **PASSED 7:1**, Councilor Taylor opposed.

MOTION: Councilor Clark, seconded by Councilor Taylor, moved to direct the City Manager to revise the TSDC amendments that will be proposed for Council action by: imposing an annual cap of \$20,000 on the total amount of TSDCs waived for ADUs.

MOTION TO SUBSTITUTE: Councilor Semple, seconded by Councilor Zelenka, moved to substitute \$40,000 for \$20,000 in this motion.

Council Discussion

- Council agrees that more ADUs are desired; would not want to put a cap on that type of development.

VOTE ON SUBSTITUTE MOTION: PASSED 5:3, councilors Taylor, Syrett, and Yeh opposed.

VOTE ON MAIN MOTION AS SUBSTITUTED: PASSED 5:3, councilors Clark, Yeh, and Syrett opposed.

MOTION: Councilor Clark, seconded by Councilor Taylor, moved to direct the City Manager to revise the TSDC amendments that will be proposed for Council action by: imposing an annual cap of \$130,000 on the total amount of TSDCs waived under the City's location-based, transit proximity, and transportation demand management incentive programs, combined.

Council Discussion

Question asked whether staff would forecast the idea that the City might lose the ability to facilitate projects that it has already committed to. if there is no cap and incentives to development lead to a surplus of building projects.

MOVE TO SUBSTITUTE and VOTE: Councilor Semple, seconded by Councilor Clark, moved to substitute \$260,000 for \$130,000 as the cap. **FAILED 2:6**, councilors Semple and Clark in favor.

VOTE ON ORIGNIAL MOTION: PASSED 5:4, councilors Clark, Semple, Yeh and Syrett opposed; Mayor Vinis broke tie in support.

2. WORK SESSION: Transit Tomorrow

Transportation Planning Manager Rob Inerfeld and Lane Transit District's Planning and Development Director Tom Schwetz gave an update about Transit Tomorrow and the effort to

identify the best way to move people in the community to the destinations that are important to them.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to extend for 10 minutes. **PASSED 5-3**, councilors Syrett, Semple, and Clark opposed.

Council Discussion

- Questions asked about mobility on demand and whether it considers the use of taxis or TNC companies.
- Decisions and issues are difficult; will result in improvements for some and challenges for others.
- Community is interested in and supportive of increasing transit access for more people.
- Transit needs to be reliable regardless of your work schedule.
- Consider how transit can support affordable housing whenever possible.
- Transit is important to the City's Climate Recovery Ordinance; better transit is needed to meet expectation that people will leave their cars at home.
- Late night service would be helpful for people who are out drinking or out at events.
- Permitting dogs on buses would help increase ridership.
- Efforts should appeal to all types of users, not just frequent riders.
- Consider apprenticeship for bus drivers, using smaller buses and vans to provide services.
- If transit is easy to access and convenient, people will use it.
- If an emphasis is placed on shorter wait times, consider the impacts on those whose service is reduced.
- Question asked about the estimate on taxes LTD will receive with the transportation package.
- Questions asked about the pedestrian network analysis.
- Consideration must be given to how we serve those people who can't walk longer distances to access more frequent service.
- Night and weekend service is important and a long unmet need.
- Important to consider how Transit Tomorrow will be aligned with or take into account initiatives that come out of the MovingAhead project.
- Invite LTD to return to council after next round of public comments with alternatives.

The meeting adjourned at 7:08 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).

MINUTES

ATTACHMENT D

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

**October 22, 2018
7:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pyror

Mayor Vinis opened the October 22, 2018, meeting of the Eugene City Council.

1. PUBLIC FORUM

1. Todd Boyle – supported getting a clear picture of housing needs to address the current crisis.
2. Roy Ward – supported the proposed resolution opposing Ballot Measure 105.
3. Nick Dikas – spoke in support of aggressive implementation of the Climate Action Plan.
4. Karen Austin – spoke in support of aggressive implementation of the Climate Action Plan.
5. Carol Scherer – spoke in support of aggressive implementation of the Climate Action Plan.
6. Debra McGee – spoke in support of aggressive implementation of the Climate Action Plan.
7. Betzi Hitz – spoke in support of aggressive implementation of the Climate Action Plan.
8. Kris McAllister – supported collaborative homeless strategies and efforts.
9. Otis Hachemeyer – opposed MUPTE granted for Obie development.
10. Zondie Zinke – opposed MUPTE for Obie development; supported self-management of rest stop.
11. Angelina – supported homelessness efforts.
12. E. Running Duck – supported homeless protest camp; encouraged continued efforts to help.
13. John Littleton – supported efforts to decriminalize homelessness.
14. Kris Pearce – supported Dusk to Dawn camp proposal; focus on affordable housing issue.
15. Cliff Gray – supported efforts to build more low-income affordable housing.
16. Patricia Hadley – supported use of former LCC downtown center for sheltering homeless.
17. Michael Carrigan – spoke about the housing crisis; supported proposed dusk to dawn site.
18. Linda Kelley – spoke in support of aggressive implementation of the Climate Action Plan.
19. Mike Hopkins – supported homeless protest camp; encouraged continued efforts to help.
20. Marc Mills/Alicia Lynn Levey-Wilson – supported homeless protest camp; efforts to help.
21. Tracy Joscelyn – encouraged continued efforts to help homeless; include them in plans.
22. David Strahan – encouraged continued efforts to help homeless; include them in plans.
23. Wayne Martin – encouraged continued efforts to help homeless; including daytime resources.
24. Donna Riddle – said proposed dusk-to-dawn a good first step, but more resources are needed.
25. Bob Cassidy – discussed proposed use of both the EWEB site and former City hall site.
26. Kathy Walker – supported efforts to help the homeless; opposed to criminalization of homeless.
27. Christopher Sekerak – addressed the current legal and logistical challenges of homelessness.
28. Shell aka G'ma – enumerated the services and resources that would be helpful to the homeless.
29. Kimberly Gladen – expressed frustration with conditions downtown.
30. Robin Bloomgarden – supported the proposed resolution opposing Ballot Measure 105.
31. Gabriel Chandler – supported the allotment of any City space to shelter the homeless.
32. Laurie Hauber – discussed the impacts of policies that criminalize homelessness.
33. Eric Jackson – discussed the impacts of policies that criminalize homelessness.
34. Heather Sielicki - discussed the impacts of policies that criminalize homelessness; look at options.

Council Discussion

- Stop signs on East Amazon have been requested previously; makes sense to put them at East Amazon and Potter to slow down traffic and make it safer.
- It was a mistake to ban smoking downtown.
- People need a place to sleep; consider looking at the field off of 7th Avenue, near Washington-Jefferson Park.
- A much more robust public shelter is needed, but reject the notion that enforcing the camping ban is criminalizing homelessness.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes
 - a. September 19, 2018, Work Session
 - b. September 26, 2018, Work Session
 - c. October 8, 2018, Work Session
- B. Approval of Tentative Working Agenda

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to approve the items on the Consent Calendar. **PASSED 8:0**

3. PUBLIC HEARING: An Ordinance Extending the Term of Ordinance No. 19775 and Ordinance No. 20397 Granting to Comcast of Oregon II, Inc. a Franchise for Operation of a Cable Telecommunications System

City Manager Jon Ruiz introduced the item.

Mayor Vinis opened and closed the public hearing; no one signed up to testify.

4. ACTION: Appointment to Budget Committee

MOTION: Councilor Clark, seconded by Councilor Taylor, moved to appoint Alicia Voorhees to the Budget Committee for an unexpired term ending on June 30, 2020.

SUBSTITUTE MOTION: Councilor Syrett, seconded by Councilor Zelenka, moved to substitute Adam Rue for appointment to the Budget Committee.

Council Discussion

- There was some confusion around the voting process which skewed the results.
- Mr. Rue has good experience and would bring a valuable budget perspective, particularly related to the City's efforts around climate recovery.
- Ms. Vorhees also has good experience and would represent a part of the community that has been underrepresented in the past.

VOTE ON SUBSTITUTE MOTION: FAILED 4:5, councilors Evans, Yeh, Clark, and Pryor opposed, Mayor Vinis broke tie in opposition.

VOTE ON MAIN MOTION: PASSED 8:0.

The meeting adjourned at 9:24 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Joint Work Session of the
Eugene City Council and Eugene Planning Commission
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**October 24, 2018
12:00 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Greg Evans, Claire Syrett, Chris Pyror

Councilor Absent: Mike Clark

Commissioners Present: Kristen Taylor, William Randall, Chris Ramey, Lisa Fragala, John Barofsky

Commissioner Absent: Tiffany Edwards, Steve Baker

Mayor Vinis opened the October 24, 2018, Work Session of the Eugene City Council.

Planning Commission Chair Kristen Taylor opened the October 24, 2018, Work Session of the Eugene Planning Commission.

1. WORK SESSION: Joint City Council/Planning Commission Meeting

Principal Planners Alissa Hansen and Terri Harding provided a brief overview of the Planning Commission's annual report and work plan.

Discussion

- Appreciation expressed for inclusion of a minority report when the Planning Commission makes a recommendation to the council.
- Support reinstituting the Citizen Involvement Committee; would provide an invaluable avenue for community participation in important decisions.
- Suggestion made to consider designating a City Council liaison to the Planning Commission; would be particularly helpful with quasi-judicial issues.
- Request made for a list of all Planning Commission subcommittees and the issues each is addressing.
- The Planning Commission's objective is to determine whether a project or proposal meets the code; political implications are often raised with City Council.
- The Planning Commission can help the council gain clarity on complicated land use issue, surface alternative points of view, outline a process for public engagement, and identify potential consequences of a decision.
- Planning Commissioners are tasked with representing the entire city rather than a certain geographic constituency during a time of profound change; decisions may be unpopular with certain segments of community.
- A more extensive process for selecting Planning Commissioners is needed; particularly the interview process.
- A certain level of expertise and understanding of state and local planning processes is needed to serve effectively on the Planning Commission; support more robust appointment process.

- Suggestion made that Planning Commission provide input to the council on reinstituting a Citizen Involvement Committee.
- There is tension between some of the pillars of the Envision Eugene process: the goal of protecting neighborhoods vs the desire to increase density and limit sprawl. There is also a level of incivility displayed by some members of the community towards the work of the Planning Commission and council; important to remind and educate the public about the process.
- The issues that emerged during the South Willamette project are a good example of a process that should have been referred back to the Planning Commission for further deliberation.
- The City Council needs to provide leadership around neighborhood livability and density issues.
- Important to remember that success comes with positive, incremental changes.
- Encourage the public to attend Planning Commission and City Council work sessions and meetings that occur before issues are scheduled for a public hearing.
- Doing minimum outreach and public involvement on land use issues is not effective; consider going beyond what is required.
- Improving public involvement and outreach is always helpful, but public should also be accountable and make an effort to be engaged.
- More regular updates on what the Planning Commission is working on would be helpful; particularly ward-specific information.
- A greater culture of engagement is needed; important to appreciate, desire, and actively solicit input from the community.
- Consider diversity of city when designing public engagement efforts; invest in public engagement up front for big community issues.
- Consider use of reader boards to advertise issues and opportunities for involvement.
- Clear direction from the City Council to the Planning Commission is very helpful; use benchmarks and motions to clarify goals and direction.
- Those in the community who practice strategic ignorance or are unaccepting of a democratically made decision can hold the City Council hostage on an issue; recognize those situations where adequate outreach has occurred.
- Project timelines may be dictated by state law or other factors; may limit the amount of involvement.
- Additional funding should be directed to neighborhood newsletters as a means to keep residents informed.
- If the council receives a significant amount of conflicting testimony on an issue, that is a good indication that the issue should be referred back to the Planning Commission.
- Important for the Planning Commission to consider and present the potential consequences of a decision when advising the council.

The meeting adjourned at 1:29 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

Link to the webcast of this City Council meeting: [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: November 13, 2018
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: bforrest@eugene-or.gov



City Council Tentative Agenda

Updated November 8, 2018

Meeting Location: Harris Hall, 125 East 8th Avenue, unless otherwise noted

November 2018						
Date	Day	Time	Title		Length	Dept. Contact
13-Nov	Tuesday	5:30 pm	 Committee Reports and Items of Interest	90 mins	Will Dowdy, PDD	
			 Town Square Update (Work Session)			
		7:30 pm	 Pledge of Allegiance to the Flag		Dan Lawler, PDD	
			 Public Forum			
			 Resolution Annexing Land Located at 183 Ferndale Drive, (McGinley A 18-5) (Consent Calendar)			
			 Resolution Annexing Land on Owosso Drive, (Day Joint Trust A18-6) (Consent Calendar)			
			 Resolution Annexing Land on Spring Blvd South of 43 rd Ave, (Zallon Revocable Trust A18-7) (Consent Calendar)			
			 Resolution Amending LIRHPTE for Ross Lane Apartments (Consent Calendar)			
	 Appointment of CRB Representative to Police Comm. (Consent Calendar)		Mark Gissiner, PA			
	 Ordinance Granting Comcast Franchise Extension (Action)		Pam Berrian, CS			
Expected absences for 11/13: none						
14-Nov	Wednesday	12 pm	 NW Natural Gas Franchise (Work Session)	45 mins	Twylla Miller, CS	
			 Downtown Update (Work Session)	45 mins	Denny Braud, PDD	
Expected absences for 11/14: none						



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

19-Nov	Monday	5:30 pm	 Sustainability Commission Work Plan (Work Session)	45 mins	Chelsea Clinton, CS
			 River Road/Santa Clara N'hood Plan – Project Update (Work Session)	45 mins	Eric Brown, PDD
		7:30 pm	 TBD (Public Hearing)		
Expected absences for 10/15: none					
26-Nov	Monday	5:30 pm	 Committee Reports and Items of Interest		
			 Clear and Objective Housing Approval Criteria Update (Work Session)	45 mins	Jenessa Dragovich, PDD
			 Rest Stop Siting Policy (Work Session)	45 mins	Jason Dedrick, CS
		7:30 pm	 Ceremonial Matters  Public Forum  Appointment to Metropolitan Wastewater Management Commission (Consent Calendar)  Transportation SDC Methodology (Action)		Dave Breitenstein, PW Dan Kaler, PW
Expected absences for 11/26: none					
28-Nov	Wednesday	12 pm	 Nuisance Codes (Work Session)	45 mins	Rachelle Nicholas, PDD
			 Recycling Update (Work Session)	45 mins	Michael Wisth, PDD
Expected absences for 11/28: none					

December 2018						
Date	Day	Time	Title		Length	Dept. Contact
10-Dec	Monday	5:30 pm	 Committee Reports and Items of Interest	90 mins	Mike Kinnison, PDD Anne Fifield, PDD	
			 Housing Tools and Strategies (Work Session)			
		7:30 pm	 Public Forum		Ellen Meyi-Galloway, PDD Finn Cronin, CS Finn Cronin, CS Jamie Garner, CS Jamie Garner, CS	
			 Resolution Approving LIRHPTE for 11 th and Lincoln (Consent Calendar)			
			 Resolution Acknowledging Receipt of CAFR (Consent Calendar)			
			 URA-Res. Acknowledging Receipt of URA Annual Financial Report (Action)			
 Supplemental Budget (Public Hearing and Action)						
 URA Supplemental Budget (Public Hearing and Action)						
Expected absences for 12/10: none						
12-Dec	Wednesday	12 pm	 Emergency Operations Center (Work Session)	45 mins	Randi Bowers-Payne, CS	
			 TBD (Work Session)	45 mins		
Expected absences for 12/12: none						

Council Break: December 13 – January 3

January 2019					
Date	Day	Time	Title	Length	Dept. Contact
3-Jan	Thursday	5:30 pm	State of the City		
Expected absences for 1/3: none			Soreng Theater, Hult Center		
9-Jan	Wednesday	12 pm	 TBD (Work Session)		
			 TBD (Work Session)		
Expected absences for 1/9: none					
14-Jan	Monday	5:30 pm	 Committee Reports and Items of Interest		
			 TBD (Work Session)		
			 TBD (Work Session)		

		7:30 pm	 Public Forum  Approval of Funding and Use of City Resources for Housing Affordable to Low-Income Persons (Action)		Ellen Meyi-Galloway, PDD
Expected absences for 1/14: none					
16-Jan	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)		
Expected absences for 1/16: none					
22-Jan	Tuesday	5:30 pm	 Joint City Council/Lane County Commission – Homeless Services Systems Analysis Report (Work Session)		Jason Dedrick, CS
		7:30 pm	 TBD (Public Hearing)		
Expected absences for 1/22: none					
23-Jan	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
Expected absences for 1/23: none					
28-Jan	Monday	5:30 pm	 Committee Reports and Items of Interest  TBD (Work Session)  TBD (Work Session)		
		7:30 pm	 Public Forum		
Expected absences for 1/28: none					
30-Jan	Wednesday	12 pm	 TBD (Work Session)		
			 TBD (Work Session)		
Expected absences for 1/30: none					

February 2019						
Date	Day	Time	Title		Length	Dept. Contact
11-Feb	Monday	5:30 pm	 Committee Reports and Items of Interest			
			 TBD (Work Session)			
		 TBD (Work Session)				
		7:30 pm	 Public Forum			
Expected absences for 2/11: none						
13-Feb	Wednesday	12 pm	 TBD (Work Session)			
			 TBD (Work Session)			
Expected absences for 2/13: none						
19-Feb	Tuesday	5:30 pm	 TBD (Work Session)			
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 2/19: none						
20-Feb	Wednesday	12 pm	 TBD (Work Session)	45 mins		
			 Police Commission, Sustainability Commission, Human Rights Commission Updates (Work Session)	45 mins		
Expected absences for 2/20: none						
25-Feb	Monday	5:30 pm	 Committee Reports and Items of Interest			
			 TBD (Work Session)			
		 TBD (Work Session)				
		7:30 pm	 Public Forum			
Expected absences for 2/25: none						
27-Feb	Wednesday	12 pm	 TBD (Work Session)			
			 TBD (Work Session)			
Expected absences for 2/27: none						

March 2019						
Date	Day	Time	Title		Length	Dept. Contact
11-Mar	Monday	5:30 pm		Committee Reports and Items of Interest		
				TBD (Work Session)		
				TBD (Work Session)		
		7:30 pm		Public Forum		
Expected absences for 3/11: none						
13-Mar	Wednesday	12 pm		TBD (Work Session)		
				TBD (Work Session)		
Expected absences for 3/13: none						

Council Break: March 14 – April 8

 Work Session	 Action	 Public Hearing	 Public Forum	 Consent Calendar
 Committee Reports/Items of Interest	 Ceremonial Matters	 Pledge of Allegiance		

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Hwy 99/Bethel Urban Renewal District	Evans	11/9/17
Home Energy Score Policy	Sample	3/9/18
Data Collection Policy/Protection of Individuals and Groups	Syrett	7/19/18
Single-Use Plastics Ban	Sample	10/04/18
Potential Regulation of Natural Gas in Eugene	Sample	10/11/18
Revisit City Code Regarding Alley Access Rules	Sample	10/11/18
Follow-Up Work Sessions to be Scheduled		
\$1 Million Shelter		
Commercial Setbacks		
Inclusionary Zoning		

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-11-13, Tax Lot 1400—Located at 183 Ferndale Drive) (McGinley; A 18-5)

Meeting Date: November 13, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Daniel Lawler
Contact Telephone Number: 541-682-5282

ISSUE STATEMENT

This item is a request to annex a parcel located at 183 Ferndale Drive, west of River Road. The parcel to be annexed is approximately .24 acres (10,670 square feet). The parcel contains an existing single-family home. No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned R-1 Low Density Residential with /UL Urbanizable Land overlay, and is designated for low-density residential use in the Metro Plan and the applicable refinement plan, the River Road-Santa Clara Urban Facilities Plan. The area of annexation is located within the City's urban growth boundary and is contiguous to Ferndale Drive, which is within City limits. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within

500 feet of the subject property and the affected neighborhood association (Santa Clara Community Organization) consistent with Eugene Code requirements.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB, and Lane County Public Works. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt the resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

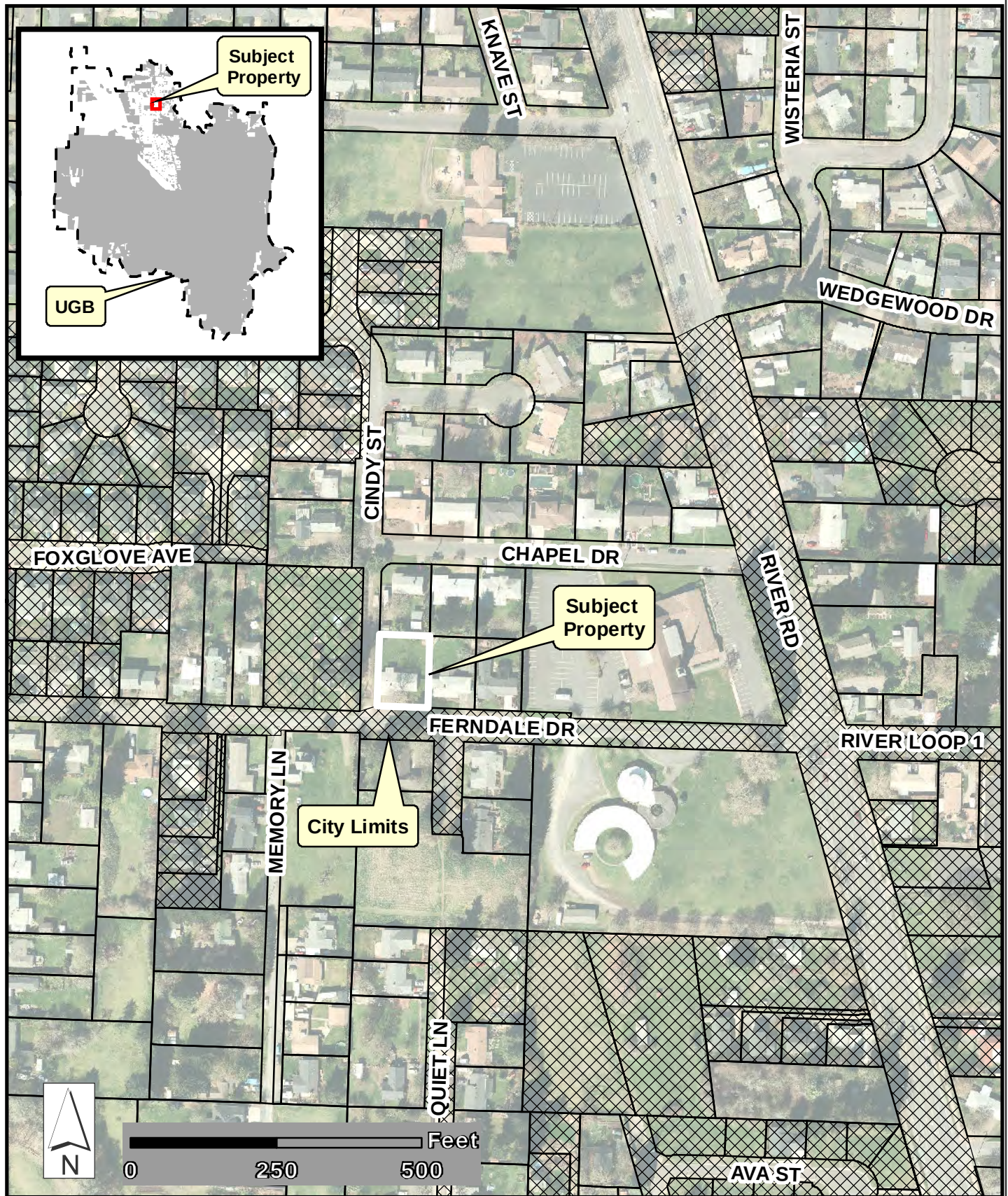
FOR MORE INFORMATION

Staff Contact: Daniel Lawler

Telephone: 541-682-5282

Staff E-Mail: dlawler@eugene-or.gov

McGinley (A 18-5)



Legend

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



RESOLUTION NO. _____

APPROVAL OF A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-11-13, TAX LOT 1400—LOCATED AT 183 FERNDAL DRIVE).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on August 8, 2018, by Anne McGinley, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-11-13, Tax Lot 1400, to the City of Eugene.

B. The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation is attached as Exhibit C.

D. On October 12, 2018, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the perimeter of the subject property, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on November 13.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-13, Tax Lot 1400, depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1 Low-Density Residential /UL

Urbanizable Land Overlay to R-1 Low-Density Residential pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of November, 2018.

City Recorder

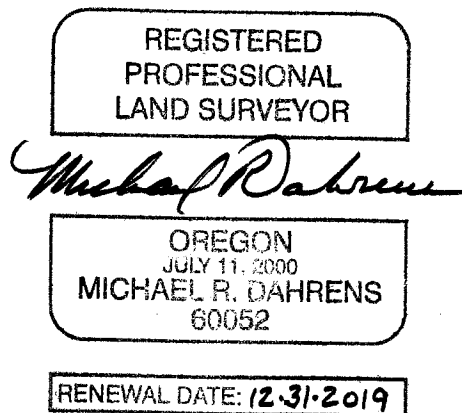
November 13, 2018, Meeting – Item 3C

Exhibit B

**Legal Description for the Annexation of the McGinley Property
to the City of Eugene
NE 1/4 of SECTION 11, T17S, R4W, W.M.
Lane County Assessor's Map 17-04-11-13, Tax Lot 1400**

Lot 5 Block 2, CHAPEL PLAT, as platted and recorded in Book 26 Page 17, Lane County Oregon Plat Records, in Lane County, Oregon.

Containing 0.24 acres, more or less.





**Planning Director's Findings and Recommendation
Annexation Request for McGinley
(City File: A 18-5)**

Application Submitted: August 8, 2018
Applicant: Anne McGinley
Property Included in Annexation Request: Tax Lot 1400 of Assessor's Map 17-04-11-13
Zoning: R-1
Location: 183 Ferndale Drive Eugene, OR 97404
Representative: Anne McGinley, 541-520-0725
Lead City Staff: Dan Lawler, City of Eugene Planning Division, 541-682-5282

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: The property is entirely within the City's UGB. The area of annexation is contiguous to the City limits along Ferndale Drive, consistent with subsection (a). The annexation area is not separated from the City limits by any features.
☒ YES	☐ NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic</i> text): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒ YES	☐ NO	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The Metro Plan designates the annexation area as appropriate for low-density residential use. The River Road-Santa Clara Urban Facilities Plan (RR-SC) is the adopted refinement plan for the subject property and also designates the area for low-density residential use. The property is currently zoned R-1 Low-Density Residential and /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>The subject property is not located within a special subarea of the RR-SC. The proposed annexation advances Residential Land Use Policy 1 of the RR-SC, which encourages land uses that recognize and maintain “the predominately low-density residential character of the area consistent with the Metro Plan.” In addition, the proposed annexation does not appear to conflict with any other residential land use policies of the RR-SC.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and refinement plan.</p>
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
Complies ☒ YES ☐ NO		<p>Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>A 4-inch wastewater line is stubbed to the subject property via the 8-inch mainline in Cindy Street. There are no on-hold wastewater assessments on this tax lot.</p>

		<p><u>Stormwater</u></p> <p>Public stormwater systems are not available to serve this property. Records show that the soils are mapped Type C. Infiltration testing may be required at the time of development to demonstrate adequate percolation rates; however, there are options for complying with stormwater standards which will be further evaluated at the time of future development.</p> <p><u>Transportation</u></p> <p>The annexation area abuts Ferndale Drive, a local street, which connects to River Road, a major arterial. River Road is fully developed with sidewalks, curbs, gutter, and street trees, but Ferndale Drive is not improved to City standards. Access management and street standards will be evaluated at the time of future development.</p> <p><u>Solid Waste</u></p> <p>Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p><u>Water and Electric</u></p> <p>EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u></p> <p>Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u></p> <p>Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u></p> <p>Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p>
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		<p>The subject property is within Eugene School District 4J and is within the district boundary of Holt Elementary School, Monroe Middle School, and Sheldon High School. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

Annexation Request

183 Ferndale Drive, Eugene, Oregon

This request is consistent with all applicable criteria in Section 9.7825 of the Eugene Code as follows.

(1) The land proposed to be annexed is within the city's urban growth boundary.

The property at 183 Ferndale Drive is in the Santa Clara area of Eugene, just west of River Road and north of Irving. According to the Eugene Planning and Development website here: <https://www.eugene-or.gov/2987/Adopting-Our-Urban-Growth-Boundary>, the property at 183 Ferndale Drive is within the urban growth boundary.

(1)(a) The land proposed to be annexed is contiguous to the city limits.

The entire southern border of the property is annexed to the City of Eugene, as is the property next door, at 185 Ferndale Drive. Because the property at 183 Ferndale is adjacent to these already-annexed lands, it is contiguous to the city limits.

(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

We are actively improving the condition of this formerly vandalized, vacant property and will use it for residential purposes. This meets the Metro Plan's goals of promoting availability of quality housing; using annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand; and pursuing strategies that encourage rehabilitation of existing housing and neighborhoods.

The proposed annexation is also consistent with the specific Metro Plan policies below.

Metro Plan Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner. b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan.

(Page II-C-4)

How proposal meets policy: The property already has key urban facilities in place including paved street access, electric service, water service, communications service, wastewater system, fire and emergency services, and public parks. Police services can

be extended to this site upon annexation, and increasing the number of annexed properties will increase the efficiency of service delivery to the entire Santa Clara area. Metro Plan Policy 10: Annexation to a city through normal processes shall continue to be the highest priority. (Page II-C-4)

How proposal meets policy: This proposal satisfies the city's growth management objectives on multiple fronts. Annexing Santa Clara-area property inside the urban growth boundary is a high priority for the city's growth management efforts. In addition, the property was uninhabitable before we bought it; annexing the rehabilitated property will improve the quality of life in the area while helping to meet the city's housing goals.

Metro Plan Policy 15: Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (Page II-C-5)

How proposal meets policy: The proposed annexation is in an area where more and more properties are being annexed to the city, and this proposal follows the city's desired progress toward transitioning the Santa Clara area to an urban one.

Metro Plan Policy 17: Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall be the water and electrical service providers within the UGB. (Page II-C-6)

How proposal meets policy: This property is already serviced by EWEB.

Metro Plan Policy 3 in the "River Road and Santa Clara Goals, Findings, Objectives, and Policies" section: Annexation of the River Road and Santa Clara areas will occur only through strict application of state laws and local policies (e.g., ability to extend key urban facilities and services in a timely manner). In each case, Eugene will make every reasonable attempt to provide for annexation only on a voluntary basis and according to prior individual property annexation agreements. (Page II-F-4)

How proposal meets policy: This annexation request is voluntary and adjacent properties have already been voluntarily annexed. The property at 183 Ferndale Drive is located in the Santa Clara area, so it's a good fit for the City of Eugene's goal of providing for annexation.

(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

The property at 183 Ferndale Drive has the following key urban facilities and services in place:

- paved street access,
- electric service,
- water service,
- communications service,
- wastewater system,
- fire and emergency services,
- a public park is located right down the street on Ferndale Drive.

In addition, there are two stormwater catch basins on Quiet Lane, which is located across Ferndale Drive from the property.

The Metro Plan contains policies specific to the River Road/Santa Clara area, where this property is located, in the section entitled “River Road and Santa Clara Goals, Findings, Objectives, and Policies”. This annexation request is consistent with all of the applicable policies (Metro Plan pages II-F-4 and II-F-5), especially policies 1 through 4 (policies 5 and 6 refer to engineering studies and incorporation of a new city and are not applicable to this request):

1. Eugene shall develop methods of financing improvements in the River Road and Santa Clara areas which are responsive to the unique situation of residents and property owners, as well as the City of Eugene.
 - No City-financed improvements are needed or requested for this annexation.
2. Eugene will plan, design, construct, and maintain ownership of the entire wastewater system that services the River Road and Santa Clara areas. This will involve extraterritorial extension which will be supported by Lane County before the Lane County Local Government Boundary Commission and all other applicable bodies.
 - Wastewater catch basins already exist on Quiet Lane, across Ferndale Drive from the property.
3. Annexation of the River Road and Santa Clara areas will occur only through strict application of state laws and local policies (e.g., ability to extend key urban facilities and services in a timely manner). In each case, Eugene will make every reasonable attempt to provide for annexation only on a voluntary basis and according to prior individual property annexation agreements.
 - As noted above, this annexation request for the Santa Clara area is voluntary and neighboring properties have already been voluntarily annexed.
4. The City of Eugene shall provide urban services to the River Road and Santa Clara neighborhoods upon annexation. In the meantime, to reduce the groundwater pollution problem, Eugene will extend wastewater service to developed properties.
 - Urban services already exist at the property.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: *Michael Dahrens*
Registered Land Surveyor

Print Name: MICHAEL R. DAHRENS

Date: 9-10-2018

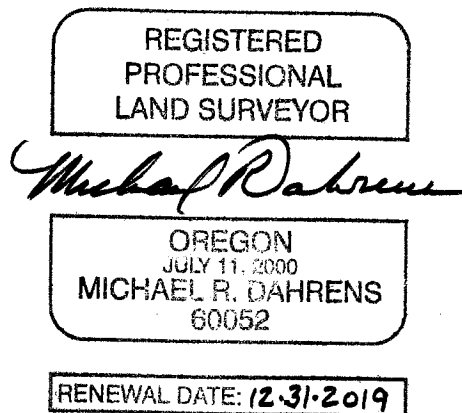
Seal:

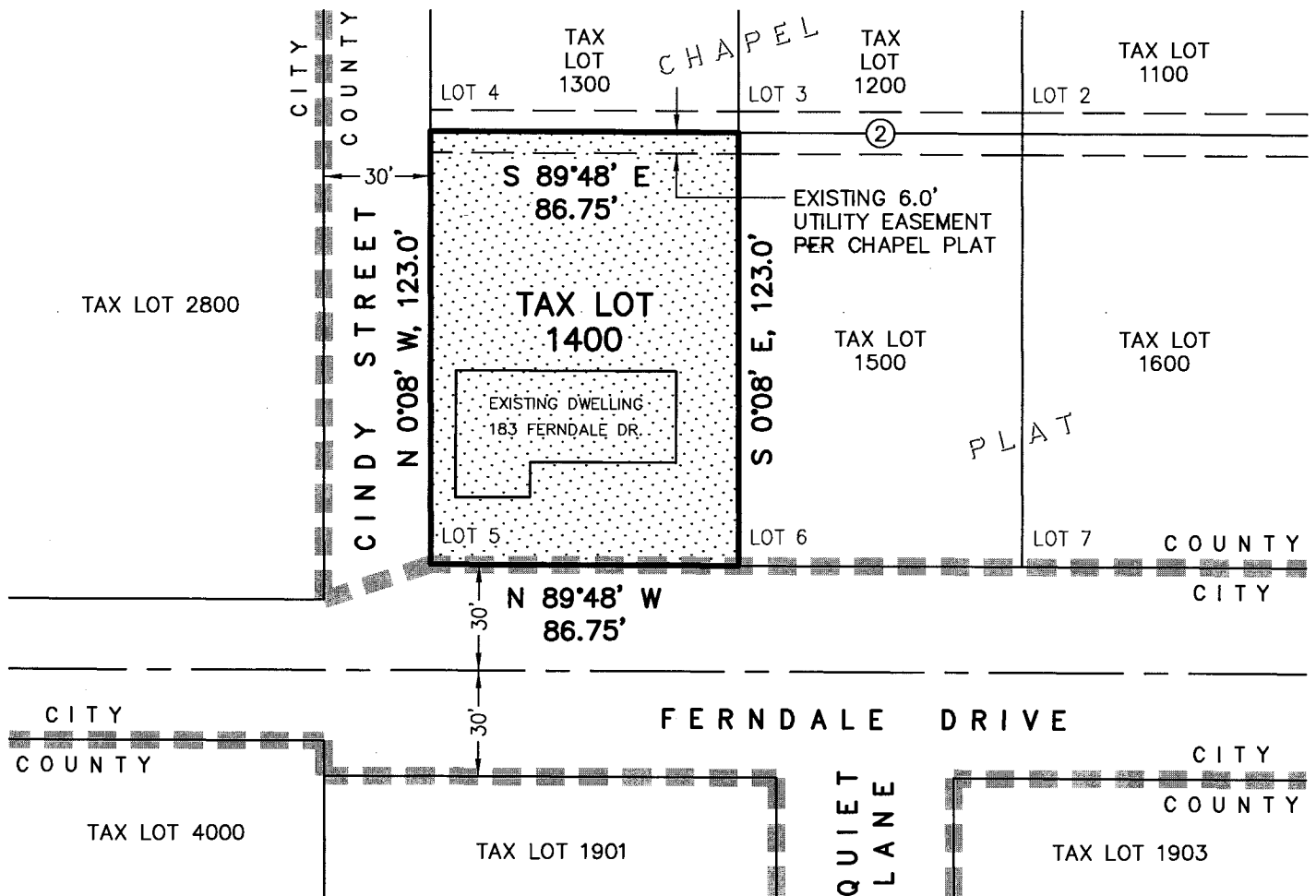


**Legal Description for the Annexation of the McGinley Property
to the City of Eugene
NE 1/4 of SECTION 11, T17S, R4W, W.M.
Lane County Assessor's Map 17-04-11-13, Tax Lot 1400**

Lot 5 Block 2, CHAPEL PLAT, as platted and recorded in Book 26 Page 17, Lane County Oregon Plat Records, in Lane County, Oregon.

Containing 0.24 acres, more or less.



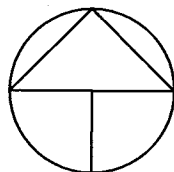


REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWS: 12-31-2019



NORTH

SCALE:
1" = 50 FT

LEGEND



CITY LIMITS LINE

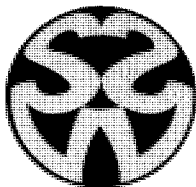
AFFECTED TERRITORY TO BE ANNEXED
AREA = 0.24 ACRES

NOTES

1. NO PUBLIC RIGHT OF WAYS ARE INCLUDED IN THE AFFECTED TERRITORY TO BE ANNEXED.
2. THE NEAREST SEGMENT OF THE URBAN GROWTH BOUNDARY (UGB) IS LOCATED APPROXIMATELY 0.7 MILES EAST OF THE SUBJECT PROPERTY.
3. BOUNDARY DATA SHOWN HEREON IS PER CHAPEL PLAT, AS PLATTED AND RECORDED IN BOOK 26, PAGE 17, LANE COUNTY OREGON PLAT RECORDS.

SITE PLAN FOR:

BRIAN & ANNE MCGINLEY ANNEXATION
NE 1/4 SECTION 11, T17S, R4W, W.M.
ASSESSOR'S MAP 17-04-11-13, TAX LOT 1400
EUGENE, LANE COUNTY, OREGON

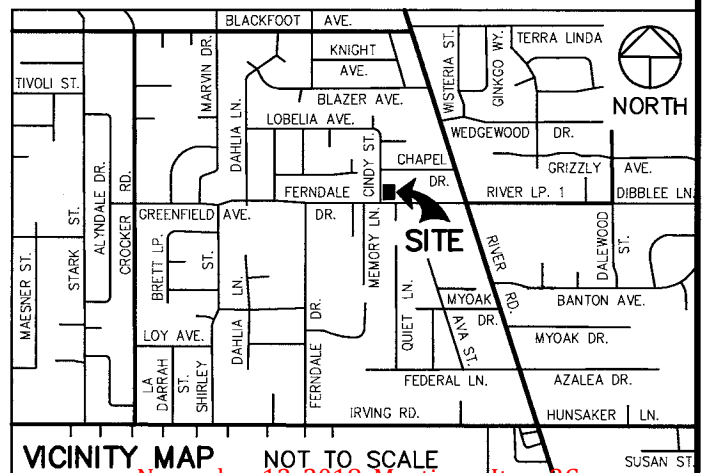


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JOB NO. 18-7557-76

SEPTEMBER 10, 2018



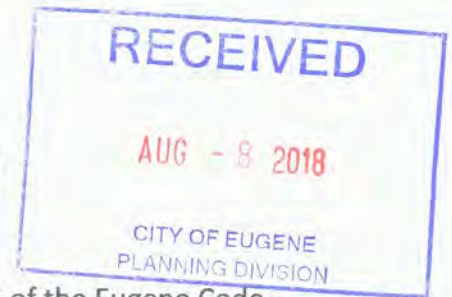
VICINITY MAP

NOT TO SCALE

November 13, 2018, Meeting - Item 3C

Annexation Request

183 Ferndale Drive, Eugene, Oregon



This request is consistent with all applicable criteria in Section 9.7825 of the Eugene Code.

The land proposed to be annexed:

- Is within the city's urban growth boundary.
- Is contiguous to the city limits – the property next door, at 185 Ferndale Drive, has already been annexed.
- Already has electrical and water service, a wastewater system, and fire and emergency services, and is near a public park on Ferndale Drive.

The request is consistent with the Metro Plan policies, including:

- Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.
- Pursue strategies that encourage rehabilitation of existing housing and neighborhoods.
- Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.
- Annexation to a city through normal processes shall continue to be the highest priority.

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Tax lot
Map and Tax Lot: 17-04-11-13, 1400 Address: 183 Ferndale Dr.

Legal Description:

Lot 5, Block 2 Chapel Plat as platted and recorded in Book 26, Page 17, Lane County Oregon Plat Records

In the corporate limits of said city, which is owned by the undersigned

DATED this 6th day of August, 20 18.

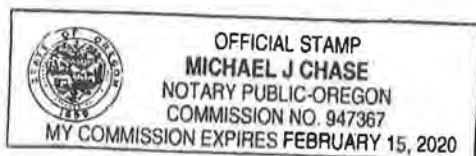
Anne McGinley
Brian McGinley

STATE OF OREGON)

County of LANE)ss
)

On this 6th day of August, 20 18, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Anne McGinley, Brian McGinley, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Michael J. Chase
Notary Public for Oregon
My Commission Expires Feb 15, 2020

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

Brian and Anne McGinley

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

17-04-11-13, Tax lot 1400

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

☒ will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

Candy Street

☐ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No stormwater services adjacent to property
but there are two catch basins on Quiet Lane
(across Ferndale from property)

If yes,
location? _____

If no, how will stormwater be handled after development? -

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. _____

Ferndale Dr., Cindy St.

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes

☒ No

_____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes

☒ No

_____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Ferndale Park, Filbert Meadows Park,
Terra Linda Park, Lone Oak Park

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

✓ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

 River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property.

5/8 service line on Ferndale

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: _____

Registered Land Surveyor

Print Name: _____

Date: _____

Seal:

EXHIBIT A

Order No.: WT0143174

Lot 5 Block 2, CHAPEL PLAT, as platted and recorded in Book 26 Page 17, Lane County Oregon Plat Records, in Lane County, Oregon.

Real Property Tax Lot Record

Lane County Assessment and Taxation

Print Date: May 09, 2018



In preparation of these records, every effort has been made to offer the most current, correct, and clearly expressed information possible. Nevertheless, inadvertent errors in information may occur. In particular but without limitation, Lane County disclaims any responsibility for typographical errors and accuracy of this information. The information and data included on Lane County servers have been compiled by Lane County staff from a variety of sources, and are subject to change without notice to the User. Lane County makes no warranties or representations whatsoever regarding the quality, content, completeness, suitability, adequacy, sequence, accuracy, or timeliness of such information and data.

In 2011, Assessment and Taxation was awarded an economic development grant which facilitated the scanning of the approximately 160,000 then-existing tax lot records. The scanning took place between February and June 2012.

The legal descriptions contained herein are for tax lot purposes only.

Included in this report:

1. A listing of documents affecting ownership and/or property boundary changes.
2. The scanned tax lot record image and any legal description changes made since.

Map & Tax Lot: 17-04-11-13-01400

Status: Active

Current Parcel/Account	TCA
0357754	00417

Document #	Type	Date	Effective Year	Tax Lot Acres
2018-018351	Warranty Deed	04/18/2018	2018	0.00
Comments:				
2017-018894	Warranty Deed	04/04/2017	2017	0.00
Comments:				
2017-014921	Trustee Deed	03/21/2017	2017	0.00
Comments:				
	Description Card			0.00
Comments:				

29461-B-11

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OLD NUMBER

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE
NO. 084-17

MAP NO. 17-041113	TAX LOT NO. 11400	357 754	11	17	4W	AERIAL PHOTO
ACCOUNT	NUMBER	SECTION	TOWNSHIP	S.	RANGE	W.M.
LOT NO. 6 5	BLOCK NO. 2	ADDITION Chapel Plat				CITY

INDENT EACH NEW
COURSE TO THIS POINT

LEGAL DESCRIPTION

DEED RECORD

DATE OF ENTRY

DEED NUMBER

ACRES
REMAINING

Lot 5, Block 2 Chapel Plat as platted and
recorded in Book 26, Page 17, Lane County Oregon
Plat Records.

1959

R-114
29Apr58
37600

R-125
54867
9Dec58

1960

RL43/83291
83290

1961

RL50/95248

1963

R.198
75584

1968

R382/16760

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

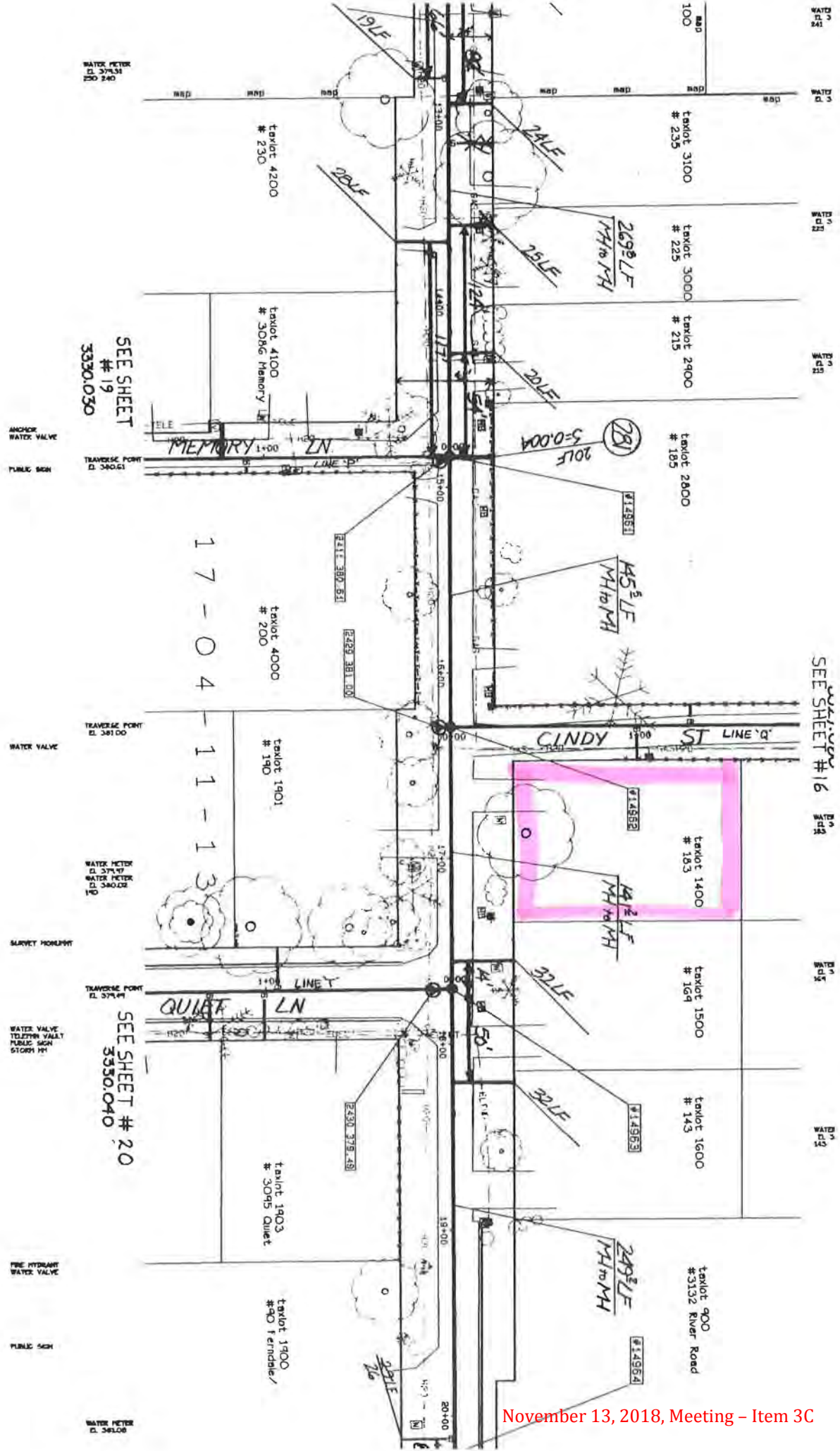
OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE
NO.

OLD NUMBER

MAP NO.	TAX LOT NO.	SECTION _____	TOWNSHIP _____ S.	RANGE _____ W.M.	AERIAL PHOTO
ACCOUNT _____		NUMBER _____			
LOT NO. _____	BLOCK NO. _____	ADDITION _____			CITY _____

[illegible]



Location of Sewer Connection

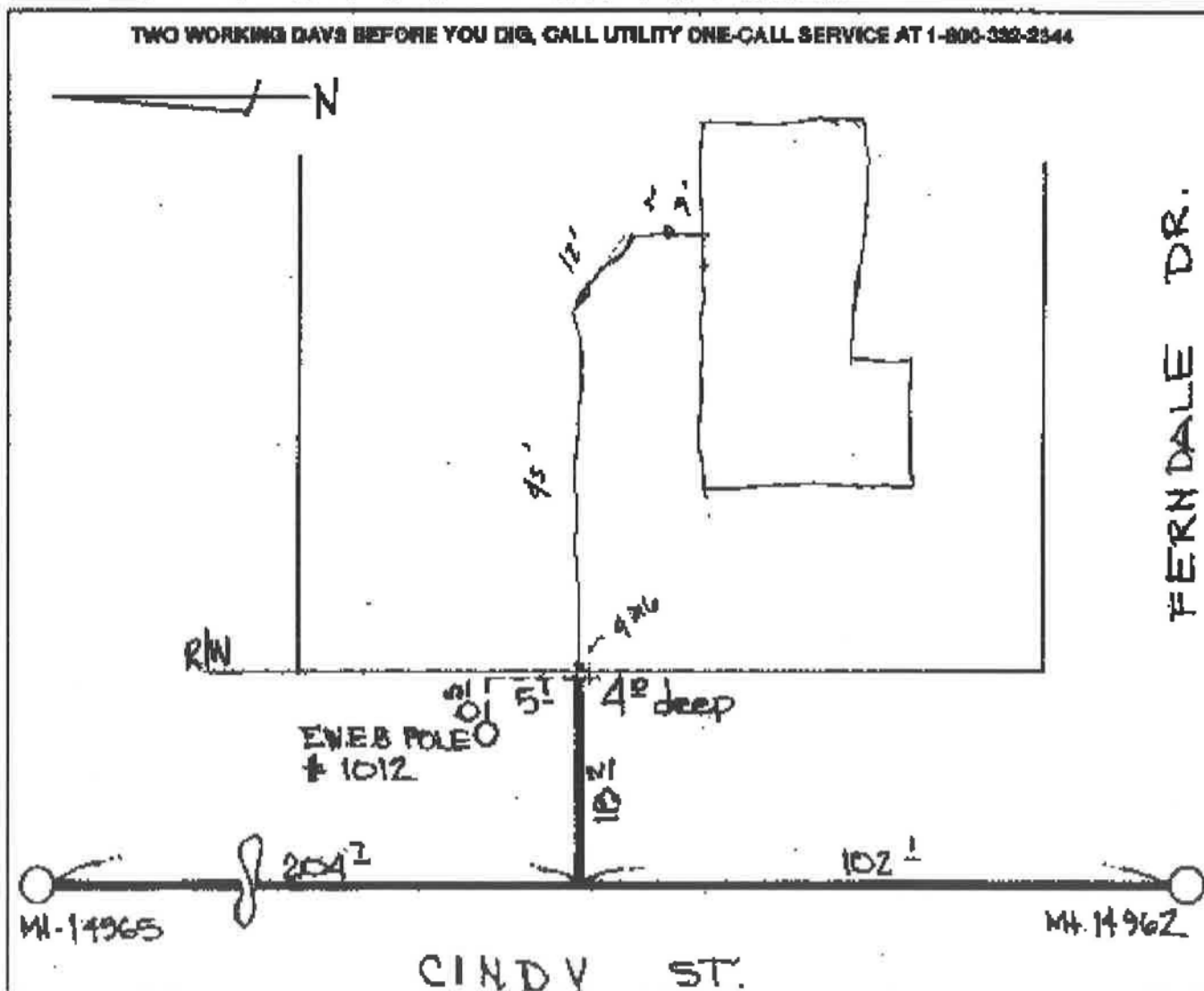


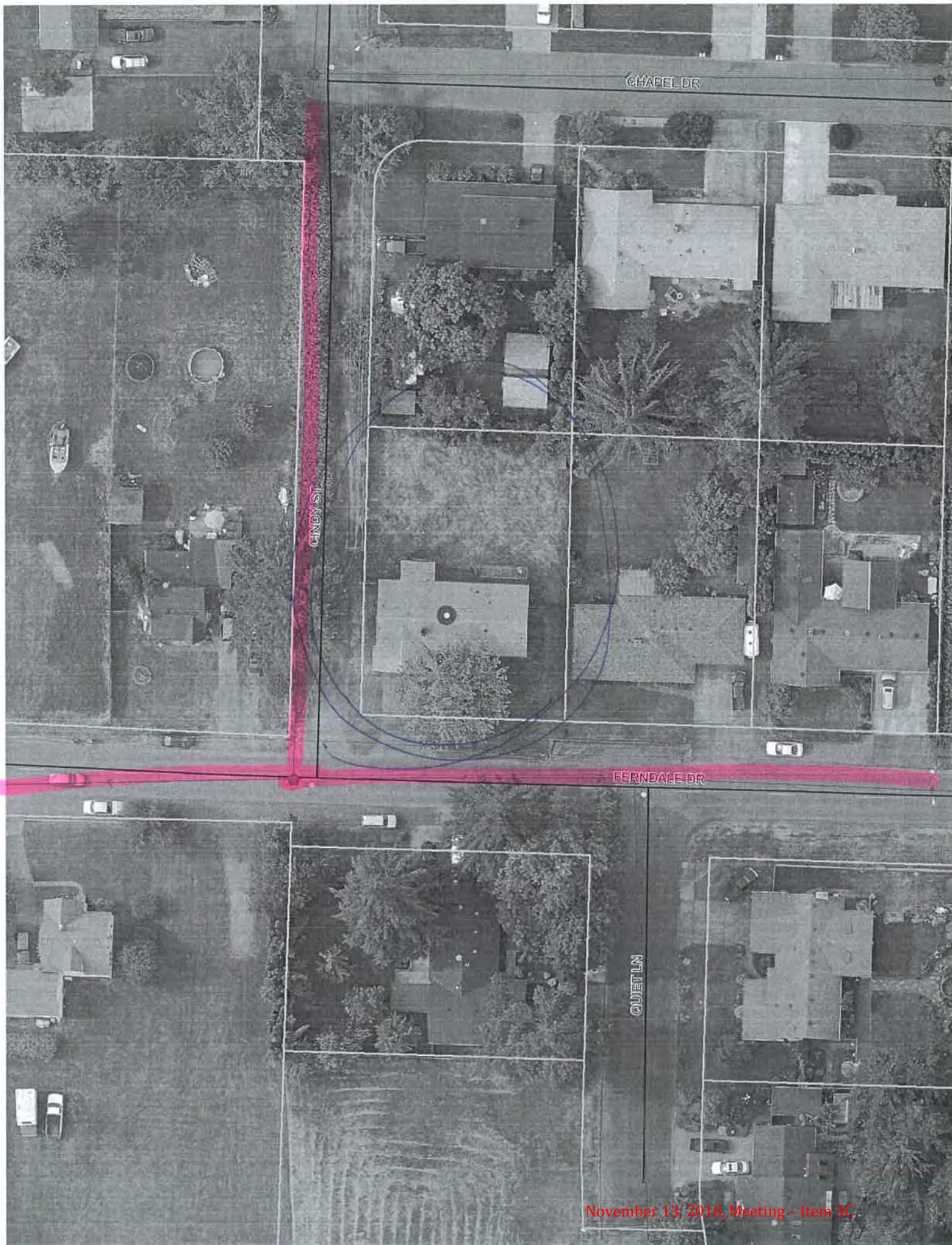
City of Eugene
99 West 10th Avenue
Eugene, OR 97401
687-6088

Property Information
Address 183 FERNDALE DR.
Map and Tax Lot 17-04-11-13 01400 Owner REYNOLDS, Dorothy & William
Building Type: ☒ SFD ☐ Duplex ☐ Multi-Family ☐ Commercial ☐ Industrial

Permit Information
 Permit No. 97-00377-01 Date of Issuance 9/10/97 ☐ Right-of-Way Cut Permit Required
 Contractor/Plumber ARP'S Plumbing ☐ Systems Development Charge
 Pipe Material _____ Pipe Diameter 4"
 Installation Date _____ Inspected By _____
 Permission granted to attach private sewer connection to public sewer in conformance to City standards and specifications.

Public Sewer Information
Inspected By T. F. BENDER Segment No. 149.5 - 149.2 Contract No. 26-10
UPSTREAM DOWNSTREAM





Application #: C * 2008 - _____
For City Use Only

* CB = Coburg CG = Cottage Grove
CR = Creswell EU = Eugene
FL = Florence JC = Junction City
OA = Oakridge SP = Springfield

PETITION

Petition Signature Sheet
Annexation by Individuals

RECEIVED

AUG 08 2018

Lane County
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
1. <u>Anne McGinley</u>	<u>7/24/18</u>	<u>Anne McGinley</u>	<u>1543 Larkspur Ln Eugene, OR 97401</u>	<u>17-04-11-13 Tax Lot 1400</u>	☒	☒	<u>.25</u>
2. <u>Brian McGinley</u>	<u>8/6/18</u>	<u>Brian McGinley</u>	<u>1543 Larkspur Ln Eugene, OR 97401</u>	<u>17-04-11-13 Tax Lot 1400</u>	☒	☒	<u>.25</u>
3. _____	_____	_____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____	_____	_____

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

1. Anne McGinley (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X Anne McGinley (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 2 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 2. I hereby certify that this petition includes 2 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.

A. Stapp
Lane County Department of Assessment and Taxation

8-8-18
Date Certified

A. Stapp
Lane County Clerk or Deputy Signature
8/8/18
Date Certified

- b. Except for areas that have no fire protection, affected property owners have signed consent to annex agreements with the applicable city consistent with Oregon annexation law.

Such annexations shall be considered as interim service delivery solutions until ultimate annexation to a city occurs.

- 20. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in priority order).
 - a. Annexation to a city;
 - b. Contractual annexation agreements with a city;
 - c. Annexation to an existing district (under conditions described previously in Policy #19); or
 - d. Creation of a new service district (under conditions described previously in Policy #14).



LANE COUNTY

Property Account Summary

As Of 8/8/2018 Status: Active

Account No.: 0357754 **Alternate Property Number:** 1704111301400
Account Type: Real Property
TCA: 00417
Situs Address: 183 FERNDAL DR
EUGENE OR 97404
Legal: Township 17 Range 04 Section 11 Quarter 13 TL 01400

Parties:

Role	Name & Address
Owner	MCGINLEY BRIAN & ANNE 1593 LARKSPUR LOOP EUGENE OR 97401
Taxpayer	MCGINLEY BRIAN & ANNE 1593 LARKSPUR LOOP EUGENE OR 97401

Property Values:

Value Name	2017	2016	2015	2014	2013
MKTTL	\$222,989	\$202,996	\$190,961	\$182,424	\$161,854
AVR	\$157,591	\$153,001	\$148,545	\$144,218	\$140,017
TVR	\$157,591	\$153,001	\$148,545	\$144,218	\$140,017

Property Characteristics:

Tax Year	Characteristic	Value
2017	Property Class	101 Res conforming improved
	Change Property Ratio	1XX Residential
	Size	0.25
	Code Split	N
	Neighborhood	431300
	M5 tax compression for education	2.50

Exemptions:

(End of Report)

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-11-13	1400		.25

Property Address: 183 Ferndale Dr., Eugene, OR 97404

Plans for Future Development & Permit Number (if applicable): _____

Public Service Districts:

Name			
Parks:	Ferndale Park - River Road Parks & Rec		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	EWEB		
Fire:	Santa Clara		
Schools:	Elementary: Spring Creek	Middle: Madison	High: North Eugene HS
Other:			

Filing Fee

- ☐ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☐ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

weeks prior to the hearing date. At the hearing the council may adopt a resolution approving, modifying and approving, or denying the application for annexation.

An effective date for the annexation shall be set in accordance with state law.



PLANNING RECEIPT

DATE 8/8/2018

City of Eugene Planning

Method of Payment

- ☐ Cash
☐ Check
☒ Visa/MC

Customer Information

Name Anne McGinley

Address

Project 183 Ferndale

Amount Received

\$5,155.70

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00	\$	4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
Other							
Other							
Appeal				1		\$	-
Appeal							

Subtotal App Fees \$ 4,730.00

Subtotal Other Fees \$ -

Admin Fee (not included on appeals or other fees) 9% \$ 425.70

Total \$ 5,155.70

Staff Receiving Application

kew

DUPLICATE RECEIPT DUPLICATE RECEIPT

=====

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:1-0003391 Aug 08 2018
CASHIER: DMB

=====

Annexation Fee	\$4,730.00
183 Ferndale	
Admin Fee-Auto Calc	\$425.70

TOTAL DUE: \$5,155.70

RECEIVED FROM:
ANNE MCGINLEY

Credit: \$5,155.70

Total tendered: \$5,155.70

Change due: \$.00

=====

www.eugene-or.gov/bldgpermittracking

=====

Please take our customer survey at:
www.surveymonkey.com/s/COEPermitSurvey

=====

DUPLICATE RECEIPT DUPLICATE RECEIPT

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-13-32, Tax Lot 5200 — located on Owosso Drive)
(City File: Day Joint Trust; A 18-6)

Meeting Date: November 13, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3D
Staff Contact: Nicholas R. Gioello
Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex a vacant property located on Owosso Drive east of River Road. The property to be annexed is approximately 1.14 acres (49,658 square feet). No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned R-2 Medium-Density Residential with /UL Urbanizable Land overlay. The property is designated for medium density residential use in the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan. The area of annexation is located within the City's urban growth boundary and is contiguous to the City limits. Annexation will allow for future development consistent with the property's land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code 9.7825 which requires that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property and the affected neighborhood association (River Road

Community Organization), consistent with Eugene Code requirements. No testimony has been received to date regarding the proposed annexation of this property.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB and Lane County Public Works. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

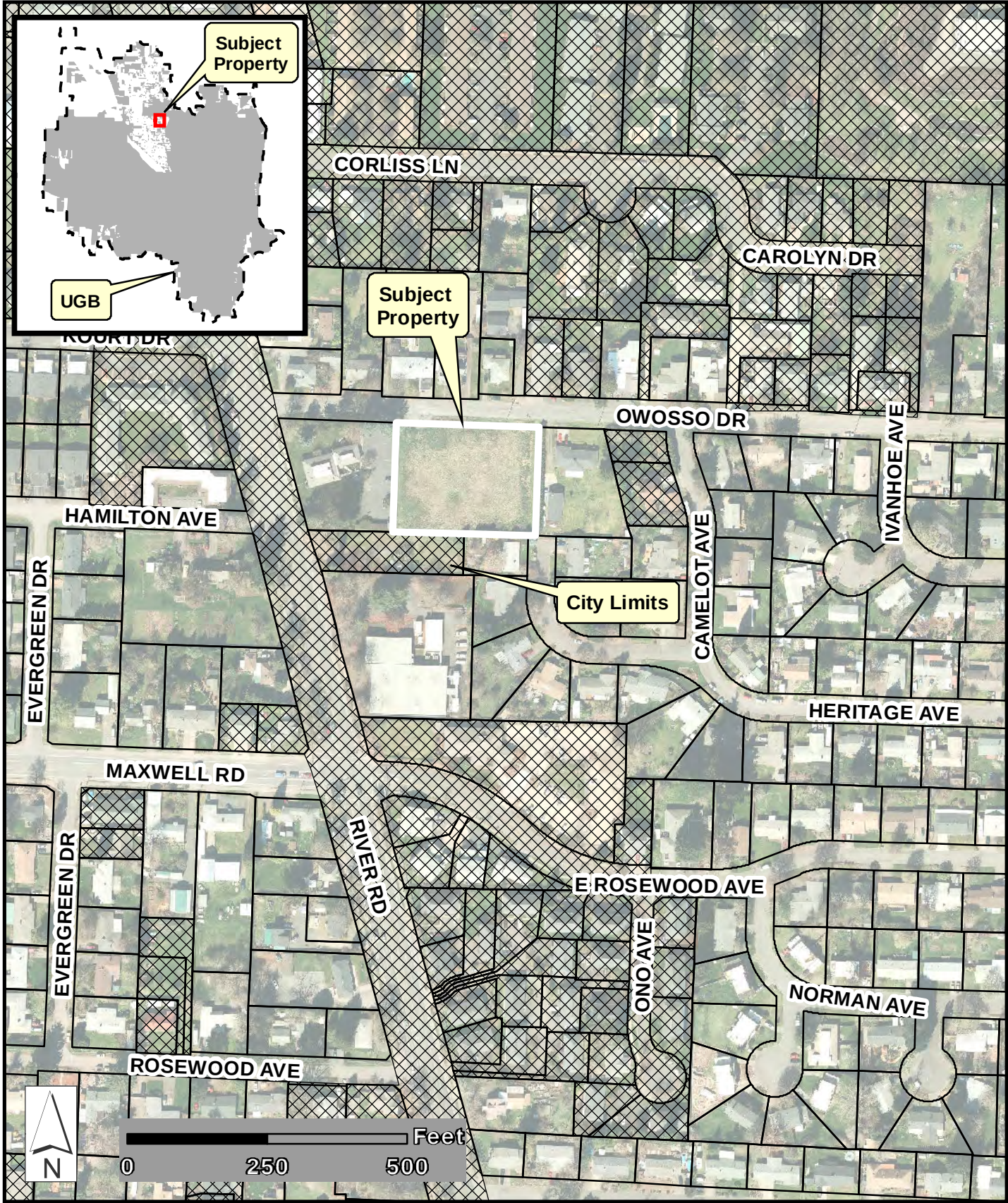
ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Nicholas R. Gioello
Telephone: 541-682-5453
Staff E-Mail: ngioello@eugene-or.gov

Day Joint Trust (A 18-6)



Legend

 Subject Property	 Taxlots	 City Limits
--	---	---

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



RESOLUTION NO. _____

APPROVAL OF A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-13-32, TAX LOT 5200—LOCATED ON OWOSSO STREET, EAST OF RIVER ROAD, AND NORTH OF HERITAGE STREET.

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on August 21, 2018, by G. Franklin Day, on behalf of Day Joint Trust, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-13-32, Tax Lot 5200, to the City of Eugene.

B. The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation is attached as Exhibit C.

D. On October 12, 2018, a notice containing a geographical reference to the property, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the perimeter of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on November 13, 2018.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-13-32, Tax Lot 5200, depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

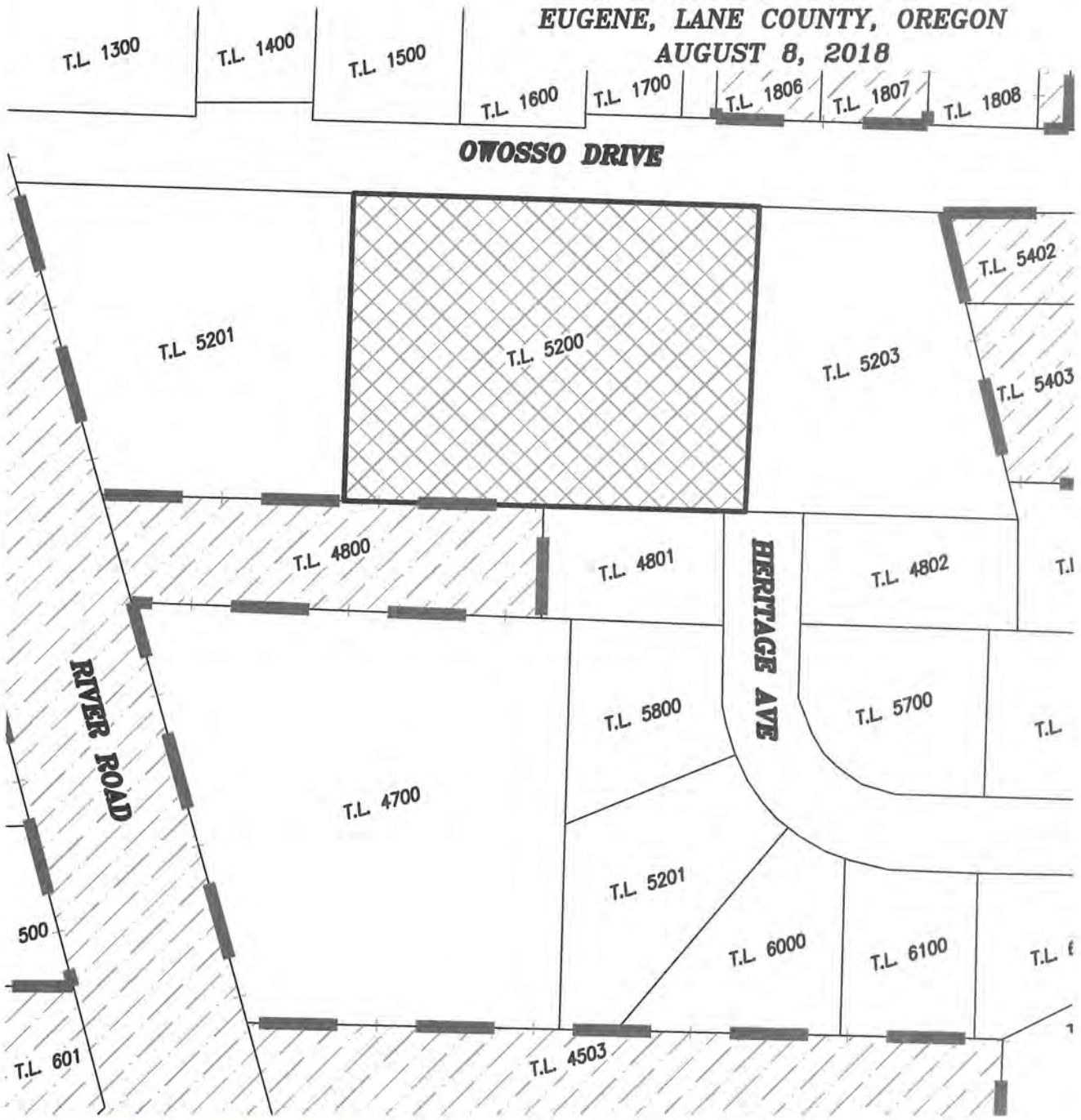
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-2 Medium Density Residential and /UL Urbanizable Land to R-2 Medium Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of November, 2018.

City Recorder

ASSESSOR'S MAP(S) TAX MAP 17-04-13-32, T.L. 5200

LAND ANNEXATION FOR
DAY JOINT TRUST
SW 1/4, SEC 32, T17S, R4W, WM
EUGENE, LANE COUNTY, OREGON
AUGUST 8, 2018



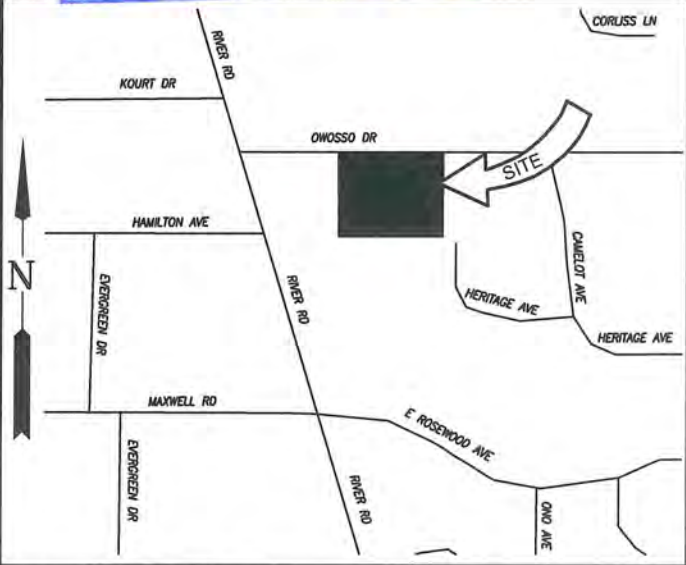
RECEIVED
AUG 21 2018
CITY OF EUGENE
PLANNING DIVISION

LEGEND

- CITY LIMITS
- LANDS TO BE ANNEXED

NOTES

1. CITY LIMITS BOUNDARIES SHOWN PER THE CITY OF EUGENE ON-LINE INTERACTIVE ZONING MAP ON AUGUST 8, 2018.
2. SITE IS CURRENTLY VACANT.
3. NO EASEMENT OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE.



VICINITY MAP

NOT TO SCALE



Branch
ENGINEERING Inc.
Since 1977
310 5th Street
Springfield, OR 97477
p: 541.746.0637
www.BranchEngineering.com

Exhibit B

LEGAL DESCRIPTION

All those lands conveyed in that Warranty Deed recorded on February 25, 2011 as Document Number 2011-009423 in the Lane County Oregon Official Records, said lands being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod on the Easterly right-of-way line of River Road 206.38 feet South 16°47'45" East from a 5/8-inch iron rod marking the intersection of the South right-of-way line of Owosso Drive, said South line being 25.0 feet South from (when measured at right angles) the center line of said Owosso Drive and the Easterly right-of-way line of River Road, said Easterly right-of-way line being 50.0 feet Easterly from (when measured at right angles;) the center line of said River Road, said beginning point is also described as being North 89°53'50" East 52.20 feet from a point in Section 13, Township 17 South, Range 4 West of the Willamette Meridian, in the Center of the County Road known as the River Road, at the Northwest corner of the lot or tract conveyed to George W. and Lillith Leeper, by deed recorded in Book 122, Page 335, Lane County Deed Records, said point being 10.446 chains South 17° East from an iron bar set in County Survey No. 688 of the Recorded Surveys of said County, in the center of said road, 42.72 chains East of the Northwest corner of County Survey No. 12, which is 7.30 chains North from the Southwest corner of the Joseph Davis and wife Donation Land Claim No 48;

THENCE North 89°53'50" East 151.33 feet to a 1/2-inch iron rod and the **TRUE POINT OF BEGINNING** of this tract;

THENCE North 0°19' East 196.19 feet to a 1/2-inch iron rod on the South right-of-way line of Owosso Drive (50.0 feet wide);

THENCE South 89°42' East along said Southerly right-of-way line 254.79 feet to a 1/2-inch iron rod;

THENCE South 0°18' West 194.40 feet to a 1/2-inch iron rod;

THENCE South 89°53'50" West 254.80 feet to the **TRUE POINT OF BEGINNING**, in Lane County, Oregon

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 12, 2011
DANIEL ADAM NELSON
84832LS

RENEWAL DATE: 12/31/18



**Planning Director's Findings and Recommendation
Annexation Request for Day Joint Trust
(City File: A 18-6)**

Application Submitted: August 21, 2018
Applicant: Day Joint Trust
Property Included in Annexation Request: Tax Lot 5200 of Assessor's Map 17-04-13-32
Zoning: R-2 Medium-Density Residential with /UL Urbanizable Land Overlay
Location: South side of Owosso Drive, east of River Road
Representative: Daniel Nelson, Branch Engineering, Inc.
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: The annexation area is within the City’s urban growth boundary (UGB), and is contiguous to the City limits along a portion of the south property line, consistent with subsection (a).
☒ YES	☐ NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒ YES	☐ NO	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The Metro Plan designates the annexation area as appropriate for medium-density residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject properties and also designates the area for residential uses. Consistent with the land use designations, the property is currently zoned R-2 Medium-Density Residential with /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, the subject property is located within the River Road/Howard subarea, which recommends medium-density residential development for the subject property. Further, none of the general “Residential Land Use Policies” at Section 2.2 appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the RR/SC UFP are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and RR/SC UFP refinement plan.</p>
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
☒ YES	☐ NO	<p>Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>There is an 8-inch public wastewater in Owosso Drive adjacent to this parcel. As an informational item there is an on-hold wastewater assessment for this tax lot, which will need to be paid prior to any development on this tax lot.</p>

		<p><u>Stormwater</u></p> <p>City of Eugene public stormwater systems are not available to serve this property from Owosso Drive. The closest public storm system is approximately 400-feet west on River Road. Records show that the soils in this area are mapped as a Type C and the applicant has stated they will consider treating and retaining stormwater on site when they look to develop in the future. Infiltration testing may be required at the time of development to demonstrate adequate percolation rates; however, there are options for complying with stormwater standards which will be further evaluated at the time of future development.</p> <p>Comments from Lane County Transportation Planning indicate stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate stormwater runoff generated by the roadways themselves, per Lane Manual Chapter 15.515.</p> <p><u>Transportation</u></p> <p>This property abuts Owosso Drive to the north, which is within Lane County jurisdiction and is classified as a local road. Owosso connects to River Road to the west, and the City classifies this section of River Road as a major arterial and under the jurisdiction of the City of Eugene. Access management and street standards will be evaluated at the time of future development.</p> <p>Comments from Lane County Transportation Planning indicate that the segment of Owosso Drive along the property frontage is functionally classified as an Urban Local Road and is under the jurisdiction of Lane County. Any redevelopment or new development of the property must demonstrate compliance with the requirements of Lane Code Chapter 15. A review for compliance with Lane County road requirements will apply at the time the property is developed.</p> <p><u>Solid Waste</u></p> <p>Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p><u>Water and Electric</u></p> <p>EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u></p> <p>Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p>
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		<p><u>Parks and Recreation</u></p> <p>Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u></p> <p>Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of Howard Elementary School, Kelly Middle School, and North Eugene High School. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.



August 14, 2018

**WRITTEN STATEMENT
ANNEXATION**

TM 17-04-13-32, TL 5200

Branch Engineering Inc. Project No. 18-312

This application proposes an annexation for Tax Map 17-04-13-32, Tax Lot 5200. The property is located inside the City of Eugene Urban Growth Boundary and is zoned R-2 Medium-Density Residential with an Urbanizable Land overlay. The purpose of the annexation is to increase options for future use of the property.

The following describes how the proposed annexation conforms to the Eugene Code:

9.7825 Annexation – Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:
 - (a) Contiguous to the city limits; or
 - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

The property to be annexed is within the urban growth boundary and contiguous to the city limits (Tax Map 17-04-13-32, Tax Lot 4800).

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The property is within the Metro Plan and the River Road/Santa Clara Urban Facilities Plan (RR/SC UFP). The property is currently zoned R-2/UL Medium-Density Residential with an Urbanizable Land Overlay. Both the Metro Plan and the RR/SC UFP designate the property for medium density residential use. The /UL overlay zoning will be automatically removed upon annexation approval.

The subject property is located within the River Road/Howard subarea of the RR/SC UFP. The following policy from the subarea plan applies to this project:

Policy 3: Encourage medium-density residential development for all portions of the subarea, with the exception of the following areas: Hatten Street commercial area, the area west of River Road between Maxwell and Howard, and the area east of River Road between Owosso and Corlis.

The property proposed for annexation is zoned medium-density residential and will encourage future residential development in that same zoning. Additionally, the site does not fall within any of the areas listed as not applicable for residential development.

None of the general "Residential Land Use Policies" listed in Section 2.2 are directly applicable to the annexation. The "Public Facilities and Services Element" policies of the RR/SC UFP are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that the properties within the UGB will be annexed.

As further detailed in subsection (3), the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services.

Several other policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section:

Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

- a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner*
- b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan (page 11-C-4).*

Policy 10: Annexation to a city through normal processes shall continue to be the highest priority (page 11-C-5).

Policy 15: Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban (page 11-C-5).

- (3) *The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.*
As discussed below, public services are in place and readily available to the properties proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.

- *Electrical service is provided by EWEB. Overhead wires are available for connection along Owosso Drive.*
- *Water service is provided by EWEB. A 6-inch cast iron water main is available for connection along Owosso Drive.*
- *An 8" wastewater main exists along both Owosso Drive and Heritage Avenue, and is available for connection along the north side and the southeast corner of the property.*
- *The City of Eugene does not currently have any storm sewer facilities in the area. Therefore, any future development will need to treat and retain the stormwater on-site.*
- *The River Road Water District currently provides fire service to the area.*
- *The tax lot has frontage along Owosso Drive to the north and Heritage Avenue to the south, allowing transportation access from two sides of the property.*
- *The property is within the Eugene School District 4J and is within the district boundaries of Howard Elementary School, Kelly Middle School, and North Eugene High School.*
- *Garbage collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.*
- *Police protection can be extended to this site upon annexation consistent with service provision throughout the City.*
- *Emergency medical services are currently provided on a regional basis by the Cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.*
- *A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan.*
- *Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.*
- *A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.*

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: TM 17-04-13-32 TL5200 Address: none

Legal Description:
See attached

In the corporate limits of said city, which is owned by the undersigned

DATED this 21 day of August, 20 18.

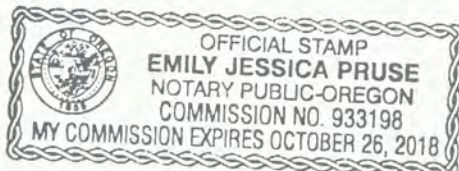
G. Franklin Day
G. Franklin Day

STATE OF OREGON)

County of) ss
)

On this 21st day of August, 20 18, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, G. Franklin Day, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Emily Pruse
Notary Public for Oregon
My Commission Expires October 26, 2018

August 6, 2018



**LEGAL DESCRIPTION
ANNEXATION APPLICATION**

TM 17-04-13-32, TL 5200

Branch Engineering Inc. Project No. 18-312

All those lands conveyed in that Warranty Deed recorded on February 25, 2011 as Document Number 2011-009423 in the Lane County Oregon Official Records, said lands being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod on the Easterly right-of-way line of River Road 206.38 feet South 16°47'45" East from a 5/8-inch iron rod marking the intersection of the South right-of-way line of Owosso Drive, said South line being 25.0 feet South from (when measured at right angles) the center line of said Owosso Drive and the Easterly right-of-way line of River Road, said Easterly right-of-way line being 50.0 feet Easterly from (when measured at right angles;) the center line of said River Road, said beginning point is also described as being North 89°53'50" East 52.20 feet from a point in Section 13, Township 17 South, Range 4 West of the Willamette Meridian, in the Center of the County Road known as the River Road, at the Northwest corner of the lot or tract conveyed to George W. and Lillith Leeper, by deed recorded in Book 122, Page 335, Lane County Deed Records, said point being 10.446 chains South 17° East from an iron bar set in County Survey No. 688 of the Recorded Surveys of said County, in the center of said road, 42.72 chains East of the Northwest corner of County Survey No. 12, which is 7.30 chains North from the Southwest corner of the Joseph Davis and wife Donation Land Claim No 48;

THENCE North 89°53'50" East 151.33 feet to a ½-inch iron rod and the **TRUE POINT OF BEGINNING** of this tract;

THENCE North 0°19' East 196.19 feet to a ½-inch iron rod on the South right-of-way line of Owosso Drive (50.0 feet wide);

THENCE South 89°42' East along said Southerly right-of-way line 254.79 feet to a ½-inch iron rod;

THENCE South 0°18' West 194.40 feet to a ½-inch iron rod;

THENCE South 89°53'50" West 254.80 feet to the **TRUE POINT OF BEGINNING**, in Lane County, Oregon

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 12, 2011
DANIEL ADAM NELSON
84832LS

RENEWAL DATE: 12/31/18

EUGENE-SPRINGFIELD

310 5th Street, Springfield, OR 97477 | p: 541.746.0637 | www.branchengineering.com

November 13, 2018, Meeting - Item 3D

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:
Day Joint Trust

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

TM 17-04-13-32, TL 5200

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

8" wastewater mains along Owosso Drive and Heritage Ave

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No

If yes,
location? _____

If no, how will stormwater be handled after development? -

No construction is included as part of this application; however, future development will need to treat and/or detain any stormwater on-site.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. Owosso Drive, which connects to River Road to the west, and Heritage Avenue, which connects to Owosso Drive via Camelot Avenue.

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes _____ No *Depends on development proposal*
X Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes _____ No *Depends on development proposal*
X Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

River Road Parks and Recreation and the City of Eugene serve the area. Emerald Park (Recreation District) is approximately 1.2 miles to the southwest. Rosetta Park (City) is roughly 1.0 mile to the southwest.

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

 X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

 EWEB

Water Service -- Please provide the size and location of the water main closest to your property. A 6-inch cast iron water main is available for connection along Owosso Drive.

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Application #: C * 2008 - _____

For City Use Only

* CB = Coburg
CR = Creswell
FL = Florence
OA = Oakridge

CG = Cottage Grove
EU = Eugene
JC = Junction City
SP = Springfield

PETITION

Petition Signature Sheet Annexation by Individuals

RECEIVED

AUG 21 2018

Lane County
Assessment & Taxation

RECEIVED

AUG 21 2018

CITY OF EUGENE
PLANNING DIVISION

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City): Eugene

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
1. <u>D. Franklin Day</u>		Frank Day <u>Day Joint Trust</u>	795 Park Avenue Eugene, OR 97404	TM 17-04-13-32 TL 5200	X		1.14
2.							
3.							
4.							
5.							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Emily Prusa (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.

X Emily Prusa (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 00 (%) of the total active registered voters that are registered in the proposed annexation.

D. Stupard
Lane County Department of Assessment and Taxation

8-21-18
Date Certified

D. L. L. L.
Lane County Clerk or Deputy Signature
8/21/18
Date Certified



LANE COUNTY

Property Account Summary

As Of 8/21/2018 Status: Active

Account No.: 0379600 **Alternate Property Number:** 1704133205200
Account Type: Real Property
TCA: 00412
Situs Address: ADDRESS UNKNOWN
OR
Legal: Township 17 Range 04 Section 13 Quarter 32 TL 05200

Parties:

Role	Name & Address
Owner	DAY JOINT TRUST 795 PARK AVE EUGENE OR 97404
Taxpayer	DAY G FRANKLIN 795 PARK AVE EUGENE OR 97404
Trustee	DAY CAROL L 795 PARK AVE EUGENE OR 97404
Trustee	DAY G FRANKLIN 795 PARK AVE EUGENE OR 97404

Property Values:

Value Name	2017	2016	2015	2014	2013
MKTTL	\$183,638	\$155,626	\$152,575	\$148,132	\$145,228
AVR	\$78,838	\$76,542	\$74,313	\$72,149	\$70,048
TVR	\$78,838	\$76,542	\$74,313	\$72,149	\$70,048

Property Characteristics:

Tax Year	Characteristic	Value
2017	Property Class	700
	Change Property Ratio	7XX Multiple Housing
	Size	1.14
	Code Split	N
	Neighborhood	437000

Exemptions:

(End of Report)



RECEIVED

AUG 21 2018

CITY OF EUGENE
PLANNING DIVISION

ANNEXATION

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-13-32	5200	R-2/UL	1.14

Property Address: None

Plans for Future Development & Permit Number (if applicable): _____

Public Service Districts:

Name			
Parks:	River Road Parks & Recreation		
Electric:	EWEB		
Water:	River Road Water District		
Sanitary Sewer:	City of Eugene		
Fire:	River Road WD		
Schools:	Elementary: Howard	Middle: Kelly	High: North Eugene
Other:			

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 5200

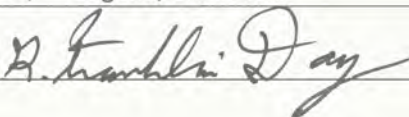
Name (print): Day Joint Trust. Representative: Frank Day

Address: 795 Park Ave

Email: gfday@comcast.net

City/State/Zip: Eugene, OR 97404

Phone: 541-689-5035 Fax: _____

Signature: 

Date: August 21, 2018

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): Daniel Nelson, PLS

Company/Organization: Branch Engineering, Inc.

Address: 310 Fifth Street

City/State/Zip: Springfield, OR 97477

Phone: 541-746-0637 Fax: _____

E-mail: DanN@branchengineering.com

Signature: 

Date: 8-14-18

REPRESENTATIVE (If different from Surveyor):

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

Signature:

Date:

****Attached additional sheets if necessary.**



City of Eugene Planning

PLANNING RECEIPT

DATE 8/21/2018

Method of Payment

- ☐ Cash
☒ Check
☐ Visa/MC

Amount Received

\$5,155.70

Customer Information

Name G Franklin Day or Mrs. Carol L Day
Address 795 Park Ave

Project 17-04-13-3-05200

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00		\$ 4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
Other							
Other							
Appeal				1			\$ -
Appeal							

Subtotal App Fees \$ 4,730.00

Subtotal Other Fees \$ -

Admin Fee (not included on appeals or other fees) 9% \$ 425.70

Total \$ 5,155.70

Staff Receiving Application
MHD

99 West 10th Avenue • Eugene, Oregon • 97401 • 541-682-5377 • eugeneplanning.org

=====

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:1-0003585 Aug 21 2018
CASHIER: LIM

=====

Annexation Fee \$4,730.00
795 Park Ave
Admin Fee-Auto Calc \$425.70

TOTAL DUE: \$5,155.70
RECEIVED FROM:
G FRANKLIN DAY

Check: \$5,155.70
Total tendered: \$5,155.70
Change due: \$.00

=====

www.eugene-or.gov/bldgpermittracking
=====

Please take our customer survey at:
www.surveymonkey.com/s/COEPermitSurvey
=====

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 18-03-16-30, Tax Lot 100 — located on Spring Boulevard)
(City File: Margot Zallen Revocable Trust; A 18-7)

Meeting Date: November 13, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3E
Staff Contact: Nicholas R. Gioello
Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex a portion of a vacant property located on Spring Boulevard south of 43rd Avenue. The portion of the property proposed to be annexed is approximately 0.64 acres (27,216 square feet). No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The portion of the property proposed to be annexed is zoned R-1 Low-Density Residential with /UL Urbanizable Land overlay and is designated for low density residential use in the Metro Plan. The eastern portion of the subject property is outside the urban growth boundary (UGB), is not part of this annexation request and will remain under the jurisdiction of Lane County. The area of annexation is located within the City's UGB and is contiguous to the City limits along its west property boundary. Annexation will allow for future development consistent with the property's land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code 9.7825 which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property consistent with Eugene Code requirements. No testimony has been received to date regarding the proposed annexation of this property.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB, and Lane County Public Works. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The applicable refinement plan is the South Hills Study. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

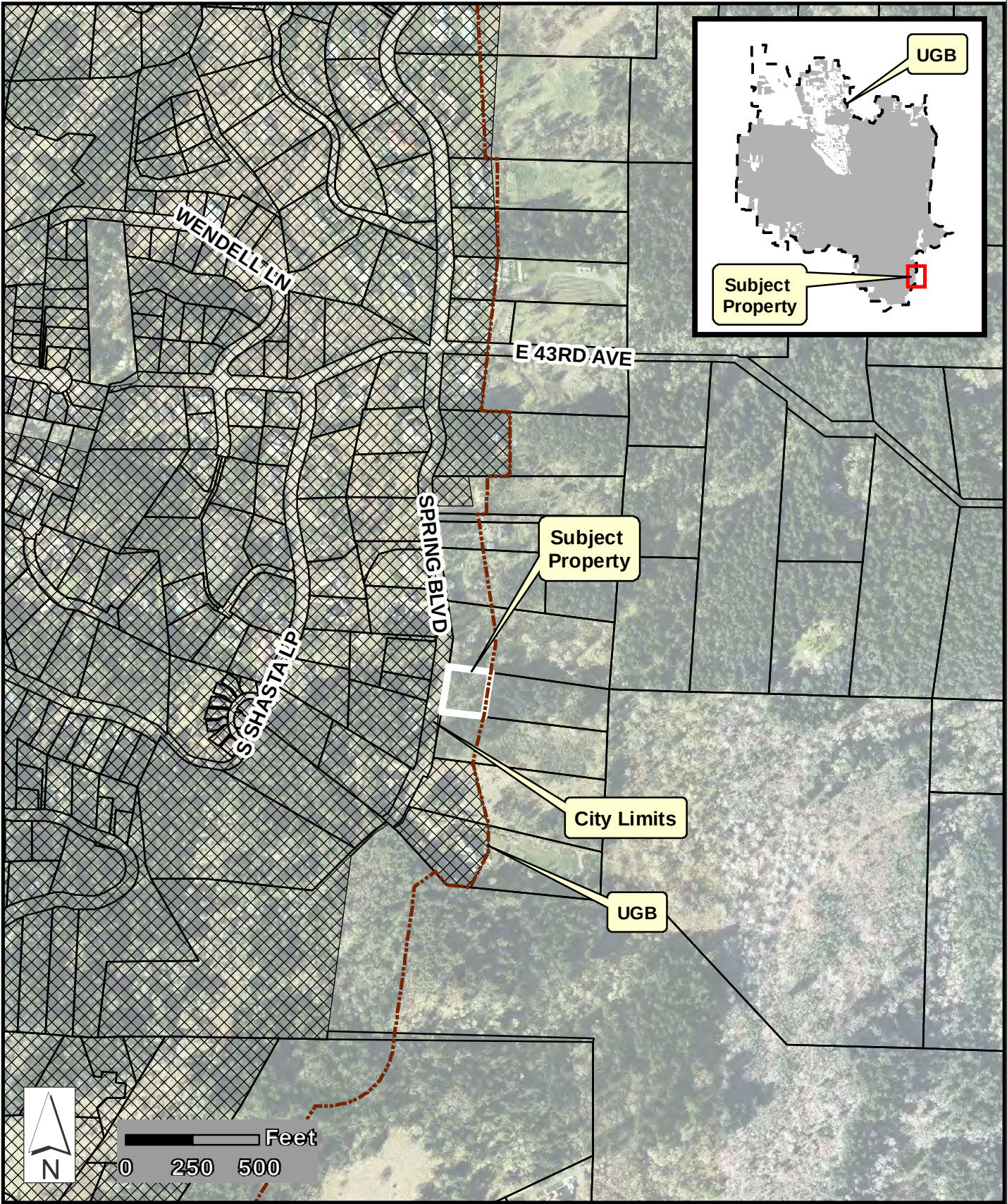
ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Nicholas R. Gioello
Telephone: 541-682-5453
Staff E-Mail: ngioello@eugene-or.gov

Margot Zallen Revocable Trust (A 18-7)



Legend

Eugene UGB

Subject_Property

Subject Property

Taxlots

City Limits



RESOLUTION NO. _____

APPROVAL OF A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 18-03-16-30, PORTION OF TAX LOT 100—LOCATED ON SPRING BOULEVARD).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on August 27, 2018, by Bill Randall on behalf of the Margot Zallen Revocable Trust in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 18-03-16-30, portion of Tax Lot 100, to the City of Eugene.

B. The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation is attached as Exhibit C.

D. On October 12, 2018, a notice containing a geographical reference to the property, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant and owners and occupants of property within 500 feet of the perimeter of the subject property. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on November 13, 2018. Notice could not be sent to the applicable neighborhood group or community organization officially recognized by the City Council as required by EC 9.7820 because the property proposed to be annexed is not located within an area with an officially recognized neighborhood group or community organization. Upon annexation, the annexed property will become part of the Southeast Neighbors organization.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and adopted in support of this Resolution, it is ordered that a portion of the land identified as Assessor's Map 18-03-16-30, Tax Lot 100, which

is depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the annexed portion of Tax Lot 100 from R-1 Low-Density Residential and /UL Urbanizable Land to R-1 Low-Density Residential pursuant to EC 9.7820(3) shall become effective in accordance with State law. The unannexed portion of Tax Lot 100 will retain its current Lane County zoning.

The foregoing Resolution adopted the ____ day of November, 2018.

City Recorder



Exhibit B

**Legal Description of Affected Territory to be Annexed
(A Portion of Tax Lot #100)**

A unit of land being situated in the West ½ Section 16, Township 18 South, Range 3 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the iron pipe commonly used as the center of Section 16, Township 18 South, Range 3 West of the Willamette Meridian; thence South 01°19'30" West 175.00 feet; thence North 83°06'40" West 466.60 feet to the **POINT OF BEGINNING** of this land to be annexed;

Thence continuing North 83°06'40" West 162.05 feet to the east line of Spring Boulevard;

Thence along the east line of Spring Boulevard, North 08°16'33" East 93.54 feet;

Thence continuing along said east line of Spring Boulevard, North 08°06'33" East 85.04 feet;

Thence leaving the east line of Spring Boulevard, South 82°42'00" East 162.02 feet;

Thence South 08°06'33" West 87.56 feet;

Thence South 08°16'33" West 89.85 feet to the point of beginning, all in Lane County, Oregon and containing 28,835 square feet or 0.66 acre(s) of land, more or less.



**Planning Director's Findings and Recommendation
Annexation Request for Margot Zallen Revocable Trust
(City File: A 18-7)**

Application Submitted: August 27, 2018
Applicant: Margot Zallen Revocable Trust
Property Included in Annexation Request: Portion of Tax Lot 100 of Assessor's Map 18-03-16-30
Zoning: R-1 Low-Density Residential with /UL Urbanizable Land Overlay
Location: East side of Spring Boulevard, south of 43 rd Avenue
Representative: William Randall, Arbor South Architecture, PC, 541-344-3332
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.	
Complies ☒ YES ☐ NO	Findings: A portion of the subject tax lot is located within the City's urban growth boundary (UGB), with a larger portion of the subject tax lot to the east located outside of the UGB. The annexation only includes the area of the subject tax lot within the UGB, while the land area outside the UGB will remain under the jurisdiction of Lane County. The area of annexation is contiguous to the City limits along its west property boundary, consistent with subsection (2).
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ YES ☐ NO	Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic</i> text): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i>

		<p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p> <p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The Metro Plan designates the annexation area as appropriate for low-density residential use. The South Hills Study is the adopted refinement plan for the subject property; however, it does not include policies that would serve as approval criteria for the proposed annexation. Consistent with the land use designations, the portion of the property to be annexed is currently zoned R-1 Low-Density Residential with /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the annexed portion of the property following annexation approval.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and South Hills Study.</p>
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
<div>Complies</div> <div> ☒ YES </div>	<div> ☐ NO </div>	<p>Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>There is an 8-inch public wastewater line in Spring Boulevard adjacent to the subject property, which can provide service.</p> <p><u>Stormwater</u></p> <p>City of Eugene stormwater systems are not available to serve this property, however, an open channel exists along the Spring Boulevard. Records show that the soils in the area are mapped as a Type C. Infiltration testing may be required at the time of development</p>

		<p>to demonstrate adequate percolation rates. There are additional options for complying with stormwater standards which will be further evaluated at the time of future development.</p> <p><u>Transportation</u> This property abuts Spring Boulevard, which is within the City of Eugene jurisdiction and is classified as a local street. Spring Boulevard terminates to the South and connects to East 43rd Avenue to the north which is also a local street. There are multiple routes available from the subject property to access East 30th Avenue (a minor arterial). Access management and street standards will be evaluated at the time of future development.</p> <p>Lane County Transportation Planning had no comments on the application.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p><u>Water and Electric</u> EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u> Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u> Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u> Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within Eugene School District 4J and is within the district</p>
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		boundary of Camas Ridge Elementary School, Spencer Butte Middle School, and South Eugene High School. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.
--	--	--

CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.



ANNEXATION APPROVAL CRITERIA

Zallen Revocable Trust

18-03-16-30-00100

14 August 2018

Per Eugene Code (EC) 9.7825, annexations are required to show consistency with certain criteria. Listed below are the criteria from EC and the documentation of consistency with the criteria.

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:
- (a) Contiguous to the city limits; or
 - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

A small portion of the subject tax lot is located within the City's urban growth boundary (UGB), with a larger portion of the area to the East located outside of the UGB. The annexation only includes the area of the subject tax lot within the UGB, while the land area outside the UGB will remain under the jurisdiction of Lane County.

The area of annexation is contiguous to the City limits along a portion of the North property line with an adjacent parcel that is within the city limits, consistent with subsection (a) and the West property line is contiguous at Spring Boulevard and the properties West of Spring are within the city limits, consistent with subsection (b).

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

Several policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in *italic text*):

Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

- (a) A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.*
- (b) There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4).*

Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).

Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5).

(From the Residential Element of the Metro Plan):

Policy A.3. Provide an adequate supply of buildable residential land within the UGB for the 20-year planning period at the time of Periodic Review.

Policy A.4. Use annexation, provision of adequate public facilities and services, rezoning, redevelopment and infill to meet the 20-year projected housing demand.

There is no Refinement Plan for the subject property.

(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly and efficient, and timely manner as detailed below:

Wastewater:

An 8-inch plastic public wastewater line exists within Spring Boulevard (a local City of Eugene street), just West of the subject property.

Stormwater:

No public stormwater system serves this property. Records show the soils are mapped as Hydrologic Soil Group Type D. Infiltration testing will be required at the time of development to demonstrate adequate percolation rates; however, there are options for complying with stormwater standards which will be further evaluated at the time of development.

Transportation:

The property abuts Spring Boulevard to the West. Spring Boulevard is designated as a Local Access Road and is within City of Eugene jurisdiction.

Solid Waste:

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric:

Lane Electric Co-Op serves this area for electricity and has an existing vault at the Southwest corner of the property. Eugene Water and Electric Board provides water to this area and has a water meter vault at the Northwest corner of the property.

Public Safety:

Police protection will be extended to the site upon annexation consistent with service provision through the City. Fire and Emergency Medical Services protection will be provided by the Eugene Springfield Fire and EMS Department.

Parks and Recreation:

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City will be sufficient evidence to demonstrate the minimum level is met for this key urban service.

Planning and Development Services:

Planning and building permit services are provided for all properties located within the UGB by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.

Communications:

A variety of communication service providers offer communication services throughout the Eugene/Springfield area.

Public Schools:

The subject property is within the Eugene School District 4J and is within the district boundary of Camas Ridge Elementary School, Spencer Butte Middle School and South Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate that the minimum level of this key urban service is met.

CONCLUSION

Based on the above findings and the additional information submitted as well as the criteria set forth in EC 9.7825, the proposed annexation is consistent with all applicable approval criteria.

Application #: C * 2008 - _____
For City Use Only

* CB = Coburg
CR = Creswell
FL = Florence
OA = Oakridge
CG = Cottage Grove
EU = Eugene
JC = Junction City
SP = Springfield

PETITION

Petition Signature Sheet
Annexation by Individuals

RECEIVED

AUG 27 2018

AUG 27 2018

CITY OF EUGENE
PLANNING DIVISION

Lane County
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	✓ Reg Voter	Acres (qty)
1. <i>Margot Zallen</i>	8/27/18	Margot Zallen Margot Zallen Revocable Trust	P. O. Box 18289 Golden, Colorado 80402	18-0316-30-00100 18-03-16-30-00100	X		2.04
2.							
3.							
4.							
5.							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, William A Randall (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X *William A Randall* (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 1. I hereby certify that this petition includes 1 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.

A. Sturges
Lane County Department of Assessment and Taxation

8-27-18
Date Certified

Cynthia J. Hennesch
Lane County Clerk or Deputy Signature
10/31/18
Date Certified



Property Account Summary

As Of 8/27/2018 Status: Active

Account No.: 0668679 Alternate Property Number: 1803163000100
Account Type: Real Property
TCA: 00401
Situation Address: ADDRESS UNKNOWN
OR
Legal: Township 18 Range 03 Section 16 Quarter 30 TL 00100

Parties:

Role	Name & Address
Owner	MARGOT ZALLEN REVOCABLE TRUST PO BOX 18289 GOLDEN CO 80402
Taxpayer	MARGOT ZALLEN REVOCABLE TRUST PO BOX 18289 GOLDEN CO 80402
Trustee	ZALLEN MARGOT PO BOX 18289 GOLDEN CO 80402

Property Values:

Value Name	2017	2016	2015	2014	2013
MKTTL	\$234,629	\$228,230	\$223,964	\$215,432	\$206,900
AVR	\$521	\$506	\$491	\$463	\$463
TVR	\$521	\$506	\$491	\$463	\$463

Property Characteristics:

Tax Year	Characteristic	Value
2017	Property Class	640
	Change Property Ratio	6XX Forest
	Size	2.04
	Code Split	N
	Fire Patrol Acres	2.04
	Neighborhood	411501

Exemptions:

(End of Report)

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 18-03-16-30-00100 Address: None assigned yet

Legal Description:

See Attached Exhibit "A"

In the corporate limits of said city, which is owned by the undersigned

DATED this 27 day of August, 2018.

Margot Zallen
22598 Westview Ave
Golden, CO 80401
Ⓢ

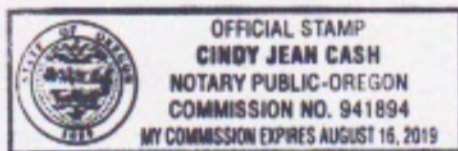
STATE OF OREGON)

)ss

County of)

On this 27 day of August, 2018, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Margot Zallen, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Cindy Jean Cash
Notary Public for Oregon
My Commission Expires August 16, 2019

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

Margot Zallen Revocable Trust

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

18-03-16-30-00100

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

☒ will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

8" Plastic Main in Spring Boulevard. Invert is 9.5 feet below street.

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No

If yes,
location? _____

If no, how will stormwater be handled after development? -

Discharge to County property to the East beyond the city limit boundary

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. _____

Spring Boulevard

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes ☒ No _____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes ☒ No _____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Kincaid City Park, Shadow Wood City Park, Skyline Park,

Bloomberg City Park, Milton City Park, Hendricks Park

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

No Fire or EMS currently serve the property. Upon annexation, Fire and EMS will be provided by Eugene Springfield Fire & EMS Department (Station #15, South Hills)

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

_____ River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

Lane Electric Co-Op

Water Service -- Please provide the size and location of the water main closest to your property. _____.

Eugene Water & Electric Board

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

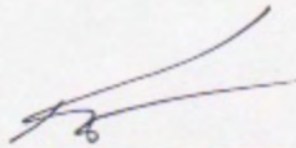
Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature:



Registered Land Surveyor

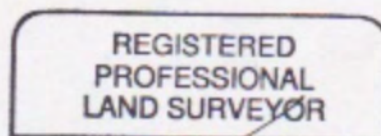
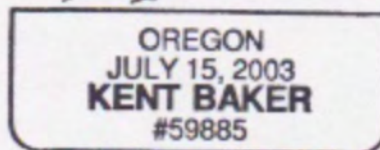
Print Name:

Kent Baker, ROBERTS SURVEYING, INC.

Date:

8/27/18

Seal:



RENEWS: 12-31-2019

EXHIBIT "A"

**Legal Description of Affected Territory to be Annexed
(A Portion of Tax Lot #100)**

A unit of land being situated in the West ½ Section 16, Township 18 South, Range 3 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the iron pipe commonly used as the center of Section 16, Township 18 South, Range 3 West of the Willamette Meridian; thence South 01°19'30" West 175.00 feet; thence North 83°06'40" West 466.60 feet to the **POINT OF BEGINNING** of this land to be annexed;

Thence continuing North 83°06'40" West 162.05 feet to the east line of Spring Boulevard;

Thence along the east line of Spring Boulevard, North 08°16'33" East 93.54 feet;

Thence continuing along said east line of Spring Boulevard, North 08°06'33" East 85.04 feet;

Thence leaving the east line of Spring Boulevard, South 82°42'00" East 162.02 feet;

Thence South 08°06'33" West 87.56 feet;

Thence South 08°16'33" West 89.85 feet to the point of beginning, all in Lane County, Oregon and containing 28,835 square feet or 0.66 acre(s) of land, more or less.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
18-03-16-30	00100	R-1/UL and F-2	2.04

Property Address: None assigned yet

Plans for Future Development & Permit Number (if applicable): Single Family Dwelling

Public Service Districts:

Name			
Parks:	Eugene Parks & Recreation		
Electric:	Lane Electric Co-Op		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	City of Eugene Fire & EMS Department		
Schools:	Elementary: Camas Ridge	Middle: Spencer Butte	High: South Eugene
Other:			

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 00100

Name (print): **Margot Zallen Revocable Trust**

Address: **P. O. Box 18289**

Email: **margotzallen@comcast.net**

City/State/Zip: **Golden, Colorado 80402**

Phone: **720-256-1688** Fax:

Signature: *Margot Zallen* Date: *8/27/18*

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): **Kent Baker**

Company/Organization: **ROBERTS SURVEYING, INC**

Address: **P. O. Box 7155**

City/State/Zip: **Springfield, Oregon 97475**

Phone: **541-345-1112** Fax:

E-mail: **kent@robertssurvey.com**

Signature: *Kent Baker* Date: *8/27/18*

REPRESENTATIVE (If different from Surveyor):

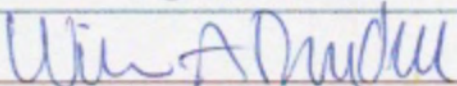
Name (print): **William A. Randall**

Company/Organization: **ARBOR SOUTH ARCHITECTURE, PC**

Address: **380 Lincoln Street**

City/State/Zip: **Eugene, Oregon 97401** Phone: **541-344-3332** Fax:

E-mail: **bill@arborsouth.com**

Signature:  Date: **8/14/2018**

****Attached additional sheets if necessary.**



PLANNING RECEIPT

DATE 8/27/2018

City of Eugene Planning

Method of Payment

- ☐ Cash
☐ Check
☒ Visa/MC

Customer Information

Name Bill Randall
Address 380 Lincoln Street
Eugene OR 97401
Project 18-03-16-30-00100

Amount Received

\$5,155.70

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00		\$ 4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
Other							
Other							
Appeal				1			\$ -
Appeal							

Subtotal App Fees \$ 4,730.00

Subtotal Other Fees \$ -

Admin Fee (not included on appeals or other fees) 9% \$ 425.70

Total \$ 5,155.70

Staff Receiving Application
MHD

DUPLICATE RECEIPT DUPLICATE RECEIPT

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:1-0003670 Aug 27 2018
CASHIER: CMS

Annexation Fee \$4,730.00
18-03-16-30 / 00100
Admin Fee-Auto Calc \$425.70

TOTAL DUE: \$5,155.70
RECEIVED FROM:
BILL RANDALL

Credit: \$5,155.70
Total tendered: \$5,155.70
Change due: \$.00

www.eugene-or.gov/bldgpermittracking

Please take our customer survey at:
www.surveymonkey.com/s/COEPermitSurvey

DUPLICATE RECEIPT DUPLICATE RECEIPT

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Adoption of a Resolution Amending Resolution No. 5218 Concerning a Low-Income Rental Housing Property Tax Exemption Renewal for Property Located on Ross Lane and on Helen Street, Eugene, Oregon. (Applicant St. Vincent de Paul Society of Lane County, Inc.)

Meeting Date: November 13, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3F
Staff Contact: Ellen Meyi-Galloway
Contact Telephone Number: 541-682-5532

ISSUE STATEMENT

City Council approved a 20-year Low-Income Rental Housing Property Tax Exemption renewal for Ross Lane Apartments in January 2018 by Resolution 5218. Lane County Tax Assessor's Office noted that there were errors in the addresses in the Resolution and the Rent Regulatory Agreement between the City and the owners, St. Vincent de Paul Society of Lane County, Inc. City Council is asked to amend Resolution No. 5218 to clarify that the LIRHPTE applies to the intended subject property.

BACKGROUND

The City adopted the low-income rental housing property tax exemption program in 1990. Eugene has approved tax exemptions for 30 affordable housing developments with over 1,200 units since adoption. Council unanimously approved extending the 20-year LIRHPTE program for an additional 10 years in 2011. The approved ordinance also enables recipients to reapply for the 20-year LIRHPTE after the initial 20-year period has expired. Council reviews each tax exemption request on a case-by-case basis.

Summary of Requested Resolution

City Council approved a LIRHPTE renewal for Ross Lane Apartments on January 22, 2018, by Resolution 5218. Ross Lane Apartments is a 36-unit apartment complex located in the Santa Clara neighborhood (map in Attachment B). Since 1998, the apartments have been rented to low-income households earning at or below 50 percent of area median income, at affordable rents.

The Lane County Tax Assessor's Office noted that although the LIRHPTE was for Map No. 17-04-12-34 Tax Lot 600, the addresses in the Resolution and Rent Regulatory Agreement had three errors. The Tax Assessor's office requested three corrections be confirmed by the City: 1) remove 2648 Ross Lane, which is used as a Head Start child care center and exempt from taxes under a different program; 2) add 2638 Ross Lane, which was inadvertently omitted from Resolution 5218; and 3) add 554 Helen Street, which was inadvertently omitted from the Rent Regulatory Agreement. The proposed Resolution (Attachment A) amends Resolution No 5218 to provide the correct addresses. Lane County will not process the LIRHPTE without these corrections.

RELATED CITY POLICIES

The proposed LIRHPTE advances goals established in multiple local plans and policies. The Eugene-Springfield 2015 Consolidated Plan identifies many affordable housing goals including affordable housing preservation. Other plans and policies include the Residential Land Use and Housing Element of the Metropolitan Area General Plan, Eugene City Council Adopted Growth Management Policies, the Lane County Ten Year Plan to End Chronic Homelessness, Housing Dispersal Policy, and the Lane County Continuum of Care Plan. The proposed uses of funds also specifically support affordable housing goals set forth in the Envision Eugene pillars.

The LIRHPTE for Ross Lane Apartments would support the Envision Eugene pillar of providing housing affordable to all income levels. The Envision Eugene Housing Affordability pillar includes strategies to meet the growing and changing housing needs of Eugene residents by supporting subsidized affordable housing projects. Continuing to provide property tax exemptions to low-income rental housing developments has been identified as an action to help successfully implement this strategy.

COUNCIL OPTIONS

The City Council has two options:

1. Approve the resolution to amend the tax exemption resolution.
2. Do not approve the resolution to amend the tax exemption resolution.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends option 1, to adopt the resolution amending Resolution No. 5218 for the Low-Income Rental Housing Property Tax Exemption for Ross Lane Apartments.

SUGGESTED MOTION

Move to adopt the resolution amending Resolution No. 5218 for the Low-Income Rental Housing Property Tax Exemption for Ross Lane Apartments.

ATTACHMENTS

- A. Resolution to amend Resolution 5218
- B. Map of Ross Lane Apartments

FOR MORE INFORMATION

Staff Contact: Ellen Meyi-Galloway
Telephone: 541-682-5532
Staff E-Mail: emeyi-galloway@eugene-or.gov

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 5218 CONCERNING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON ROSS LANE AND ON HELEN STREET, EUGENE, OREGON. (APPLICANT ST. VINCENT DE PAUL SOCIETY OF LANE COUNTY, INC.)

The City Council of the City of Eugene finds that:

A. On January 22, 2018, the City Council passed Resolution No. 5218, a copy of which is attached as Exhibit A to this Resolution. That Resolution approved the application of St. Vincent de Paul Society of Lane County, Inc. for an exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971) for the development of 24 two-bedroom units, 12 three-bedroom units, and residential common areas on the property located at 2640-2652 Ross Lane and 550-556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479). The Resolution declared the land and units exempt from taxation commencing July 1, 2018 and continuing for a continuous period of 20 years.

B. It is necessary to amend Resolution No. 5218 to clarify that the Low-Income Rental Housing property tax exemption applies to the subject property as follows:

1. Remove 2648 Ross Lane from the properties approved for the tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program. The unit located at 2648 Ross Lane was one mistakenly approved for the tax exemption by Resolution No. 5218. However, a Head Start facility operates at that address and the Head Start Facility is not eligible for the City's Low-Income Rental Housing property tax exemption. Resolution 5218 should be amended to clarify that the Low-Income Rental Housing property tax exemption does not apply to the Head Start facility.

2. Clarify that the tax exemption applies to the property located at 2638 Ross Lane. The property located at 2638 Ross Lane was erroneously omitted from Resolution No. 5218. Because 2638 Ross Lane is part of the low-income housing development and eligible for the Low-Income Rental Housing property tax exemption, it should be included as one of the properties approved for the tax exemption.

C. City staff and St. Vincent de Paul Society of Lane County, Inc. have executed amendments to the Rent Regulatory Agreement required by Section 5.1 of the Low-Income Rental Housing Property Tax Exemption Standards and Guidelines to clarify that the Rent Regulatory Agreement applies to the properties located at 2638 Ross Lane and 554 Helen Street and the Agreement does not apply to the property located at 2648 Ross Lane. The amendments to the Rent Regulatory Agreement will take effect upon passage of this Resolution.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based upon the above findings, Section 1 of Resolution No. 5218 is amended to read as follows:

“Based upon the above findings, the City Council approves the application of St. Vincent de Paul Society of Lane County, Inc. for an ad valorem property tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program for the property located at 2638, 2640, 2642, 2644, 2646, 2650 and 2652 Ross Lane and 550, 552, 554 and 556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479) which includes 24 two-bedroom units, 12 three-bedroom units, and residential common areas, all of which will be used for low-income housing.”

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to St. Vincent de Paul Society of Lane County, Inc. within ten days from the date of adoption of this Resolution, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before December 1, 2018. The copy of the Resolution sent to St. Vincent de Paul shall be accompanied by a notice explaining the grounds for possible termination of the exemption prior to the end of the exemption period and the effects of the termination.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the ____ day of _____, 2018.

City Recorder

Proposed LIRHPTE
Ross Lane: 17-04-12-34-00600



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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Appointment of Civilian Review Board Representative to Police Commission

Meeting Date: November 13, 2018
Department: Police Auditor
www.eugene-or.gov

Agenda Item Number: 3G
Staff Contact: Mark Gissiner
Contact Telephone Number: 541-682-5005

ISSUE STATEMENT

This item is to approve the appointment of Civilian Review Board member, Steven McIntire, Esq., to serve jointly on the Civilian Review Board and the Police Commission.

BACKGROUND

Council Ordinance Number 20374 (adopted on December 19, 2006), Section 2.246 (2), authorizes the Civilian Review Board to nominate one of its members to serve jointly on the Civilian Review Board and the Police Commission. This nomination is subject to the approval or rejection by the City Council. At the October 9, 2018, meeting of the Civilian Review Board, its members unanimously voted Steven McIntire to serve in this role.

RELATED CITY POLICIES

The Civilian Review Board serves as an advisory body to the City Council and the Police Auditor. This is consistent with the principles of community policing and government accountability. The Civilian Review Board may develop policy recommendations and this appointment to the Police Commission will give the Civilian Review Board an opportunity to communicate policy recommendations for the Police Department.

The Civilian Review Board voted unanimously to recommend Mr. McIntire to perform these functions.

COUNCIL OPTIONS

The City Council may approve the appointment of Steven McIntire as the Civilian Review Board representative to the Police Commission or decline to approve this appointment.

AUDITOR'S RECOMMENDATION

The Civilian Review Board recommends the appointment of Steven McIntire to serve jointly on the Civilian Review Board and Police Commission.

SUGGESTED MOTION

Move to approve the appointment of Steven McIntire to serve jointly on the Civilian Review Board and Police Commission.

ATTACHMENTS

None

FOR MORE INFORMATION

Staff Contact: Mark Gissiner

Telephone: 541-682-5005

Staff E-Mail: mgissiner@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Extending the Term of Ordinance No. 19775 and Ordinance No. 20397 Granting to Comcast of Oregon II, Inc. a Franchise for Operation of a Cable Telecommunications System.

Meeting Date: November 13, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Pam Berrian, Mike Streepey
Contact Telephone Numbers: 541-682-5590, 541-682-6820

ISSUE STATEMENT

The City Council is scheduled to take action on an ordinance extending Comcast's cable television franchise agreement until June 30, 2020. Without the extension, the franchise agreement will expire on January 1, 2019. This ordinance would only extend the term of the franchise; all other franchise terms and conditions would remain the same.

BACKGROUND

The City of Eugene, the City of Springfield and Lane County together have granted Comcast of Oregon II, Inc. ("Comcast") a franchise for the operation of a cable communications system (Eugene Ordinance No. 20397). The Metropolitan Policy Commission is the entity designated by the three jurisdictions to administer the franchise. At the local level, cable is typically regulated by a local government entity such as a city cable commission, city council, town council, or a board of supervisors. These regulatory entities are called "local franchising authorities." Over 20 years ago, Eugene decided to jointly negotiate a separate but identical cable franchise with Lane County and the City of Springfield as a regional effort, with the MPC acting as the Cable Commission on joint regulatory matters.

The existing franchise expires January 1, 2019.

According to the Federal Communications Commission: "The 1984 Cable Act established policies in the areas of ownership, channel usage, franchise provisions and renewals, subscriber rates and privacy, obscenity and lockboxes, unauthorized reception of services, equal employment opportunity, and pole attachments. The new law also defined jurisdictional boundaries among federal, state and local authorities for regulating cable television systems." In addition to such provisions, the federal Cable Act requires cable providers to have franchises and provides for a renewal process. Additional information about the FCC's rules on cable systems can be found at www.fcc.gov/media/engineering/cable-television.

Eugene, Springfield and Lane County staff have been negotiating the renewal terms with Comcast for the past year and have provided progress updates to the MPC, acting as the Cable Commission. Delays in negotiations occurred while staff tried to resolve a dispute with Comcast arising from a franchise fee review the jurisdictions conducted. That resulted in staff simultaneously dealing with fee review issues for the current franchise, and also trying to negotiate policy and operational terms for the franchise renewal. Comcast also postponed meetings and work due to loss of Oregon Comcast staff. Staff remained optimistic that an agreement would be reached this summer or shortly thereafter and requested only a short extension of the current franchise until January 1, 2019. Council approved this short-term extension in July 2018.

The October 4, 2018, MPC/Cable Commission meeting packet outlined the results of the negotiations to date. Attachment A is the table of negotiation issues, many of which have been tentatively agreed upon. However, after the printing of that packet, two major hurdles were identified that are not likely to be resolved by the current sunset date of January 1, 2019. Lane Council of Governments staff highlighted those issues at the October 4 meeting, which are:

1. Comcast has proposed “competitive equity” language that would apply to more providers than cable operators and would require the jurisdictions to either impose certain franchise obligations on those other providers or excuse Comcast from its franchise obligations. Jurisdictional staff have been advised by their legal counsel that the jurisdictions do not have authority under applicable federal, state and local laws to impose such franchise obligations on those other providers. Jurisdictional staff informed Comcast of this and also reviewed, discussed and offered edits that would have resulted in a legally-defensible provision. To date, Comcast has rejected the edits.

2. On September 25, 2018, the FCC approved a Second Further Notice of Proposed Rule-Making regarding cable franchising that if adopted as proposed would have implications for the new franchise. The notice means that the FCC will continue to revisit a failed industry-initiated attempt to allow cable providers to reduce franchise fees paid to local jurisdictions for providing gratis cable benefits. There is now a formal Comment and Reply period regarding the proposed rule. Examples from our current franchise that may be subject to the fee offset are: 1) the gratis TV programming provided to City buildings that has provided access to 24-hour news and weather and CSPAN for City Departments and 2) the four Community TV channels provided for Public Access (Channel 29); Education (Channel 23), Government (Channel 21) use, and the internal Eugene-Springfield Fire Training channel.

- At this early stage, staff do not know the full extent or financial impact from these potential changes as it is unclear how the services will be defined or valued. The potential adverse financial impact may have material adverse implications for the General Fund, and a renewed franchise approved before the FCC takes final action will not likely protect the jurisdictions from a future adverse FCC ruling.
- The jurisdictions believe additional information about the impact of any potential franchise fee reimbursement or offset is critical before agreeing to a new 10-year franchise term.

At the October 4, 2018, MPC/Cable Commission meeting, staff recommended an 18-month extension of the current franchise, which Comcast does not oppose. The extension would allow staff to work on the two issues described above. The financial settlement of the fee review will no longer be tied to the franchise renewal and we expect this can be fully resolved and acted upon separately.

The MPC, acting as the Cable Commission, voted unanimously to extend the franchise negotiations under the informal process another 18 months until June 30, 2020. It also voted to proceed with the fee settlement of the current franchise as proposed.

A public hearing was held on the 18-month extension Ordinance on October 22, 2018. No one testified at the public hearing. Staff believe this extension would allow the parties to conclude the renewal negotiations and have more certainty on proposed cable franchising rules from the FCC.

The extension ordinance would only extend the term of the current franchise. All other franchise terms and conditions would remain the same, including Comcast's obligation to pay franchise fees for use of the rights of way, which is capped under federal law at five percent of gross revenues earned from providing cable services within Eugene City limits. The fees collected from the cable franchise are allocated to the General Fund and are used for general purposes. There are no anticipated costs as a result of the extension. After negotiations are completed, the proposed renewal franchise agreement will be brought to the City Council for action as an ordinance, with a likely term of 10 years.

RELATED CITY POLICIES

City Telecommunication Vision and Policy: The City of Eugene's telecommunications vision is completion and operation of a coordinated regional information infrastructure that provides accessible and affordable high-speed connectivity for citizens, public institutions and businesses and is constructed in a manner that best serves the public interest.

Telecommunications Ordinance, Eugene Code 3.005, 3.400 to 3.430

Ordinance No. 20397, An Ordinance Granting Comcast of Oregon II, Inc., An Additional Term and Franchise Renewal For The Operation Of A Cable Communications System; Amending Ordinance 19775; Adopting A Severability Clause; And Providing an Effective Date.

COUNCIL OPTIONS

1. Adopt the Ordinance as proposed.
2. Adopt the Ordinance with modifications as determined by the City Council.
3. Deny the adoption of the Ordinance.
4. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the Ordinance.

SUGGESTED MOTION

Move to adopt an Ordinance extending the term of Ordinance No. 19775 and Ordinance No. 20397 granting to Comcast of Oregon II Inc., a franchise for the operation of a cable telecommunications system.

ATTACHMENTS

- A. Table of Negotiation Issues
- B. Proposed Ordinance

FOR MORE INFORMATION

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				<u>ATTACHMENT A</u>
<u>Section</u>	<u>Issue</u>	<u>Comcast Proposal</u>	<u>LFA (Local Franchising Authority) Response</u>	<u>Current Status</u>
Section 3	Definition of gross revenues	MACC (Metro Area Cable Commission) definition, adding language that revenues generated from late fees are to be prorated based on %age of each service provided	Stay with MACC definition originally proposed by Comcast	Add Comcast language stating late fees are prorated based on aggregate pro rata calculation
Section 5.1	Channel capacity	Change capacity from 35 to 120 channels	OK	OK
Section 5.3	Service to Institutions	Allow Comcast to elect to offset complimentary service against franchise fees	No basis upon which to agree	Comcast agreed to provide gratis services to all existing locations, plus 3 additional building per jurisdiction; value of the additional buildings could be offset against fees
Section 5.5(1)	Number of channels in HD	Will provide one channel in HD; when one other channel is averaging 25 hours per week of programming, must be provided in HD	OK	Based on concession of Section 3, above, LFA is requesting 2 other channels be allowed to "prove up"
Section 5.5(2)	Number of digital converters for public safety channel	Drop from 75 to 50	Keep 75; agree to not increase despite anticipated growth in internal viewing locations.	60
Section 7(3) removed	Expansion of Service	Delete requirement for expansion plan	OK, but keep requirement for boundary maps.	OK
Section 7.4	Extension of System	Delete	Keep language requiring an estimate where 5 would be subscribers request service.	OK
Section 9.8(1)	Forced relocates	Requests for reimbursement of temporary removal of equipment	Unnecessary; relocation language already set in law	Comcast withdrew proposal; OK
Section 10.4	Cap on cost of fee review	Where Comcast underpays by 5% or more (threshold trigger), Comcast pay only up to \$15,000 of fee review	No \$ cap, limited to 2 reviews per franchise term	No threshold trigger for reviews conducted as part of performance review; Comcast to pay up to \$45,000 for one

				review; results of reviews can be extrapolated forward
<u>Section</u>	<u>Issue</u>	<u>Comcast Proposal</u>	<u>LFA Response</u>	<u>Current Status</u>
Section 10(5) deleted	Public, Education, Government (PEG) channel fees	Delete; duplicative language	OK	OK
Section 10(5) deleted	Comcast to pay LFA's financial and legal fees	Delete	OK	OK; this break down will be spelled out in other sections
Section 10(8)	Pass through rates; LFA proposed new language addressing pass through rates	Delete	Keep calculation,	Retain only language that requires Comcast to notify MPC of rate changes; OK
Section 12	Customer Service	Delete Section 12, replace with Customer Service Addendum, which includes ability to close Eugene office	Retain Section 12, adopt revisions of Addendum specifying it is intended to complement but does not preempt Section 12. Eugene office to remain open during term of franchise.	Remove Addendum; retain Section 12; insert store language keeping Eugene store with opener to discuss store closure; OK
Section 13.1(7)	Certification of annual report	Allow certification to be done by Comcast, not independent CPA	No, retain the independent review	OK to have Comcast do own in house certification
Section 16.2(2)	Definition of fee review and audit	Comcast disagreed to proposed language stating a fee review is not an audit	LFA proposes to provide only for an "audit," (no distinction between fee review and audit) which will be allowed twice during term, with 3 year look back that will apply for all years preceding audit.	No distinction in audit v. fee review; limited to 2 per term;
Section 16(2)(c)(iv) removed	Summary of FCC regs	Remove requirement to summarize new FCC regs in annual report.	OK	OK
Section 16.2(5)	Comcast presentation to MPC	Allows Comcast to address MPC	OK to clarify Comcast's ability to comment before MPC	OK

<u>Miscellaneous</u>		<u>Comcast Proposal</u>	<u>LFA Response</u>	<u>Current Status</u>
\$30,000 for HD upgrades Side Letter which is linked legally to adoption of renewal franchise Ord.		OK	Will not count toward 5% franchise fees	OK
\$50,000 to Springfield Library for closure of Springfield Customer Service site during the term. Side Letter		OK, provided \$25,000 of the \$50,000 for ARC project	Springfield elected discussed this proposal and directed staff to request \$75,000 as compensation for removing the Springfield store as a requirement in the franchise; will not count toward 5% franchise fees	Comcast agreed to \$75,000 requested by Springfield
Competitive Equity	Addresses equal treatment of service providers	Addendum requires equity for services not covered by the Cable Act and not appropriately covered by this franchise agreement	LFA does not accept the rationale for any such provision under current law. However, it potentially will accept that sort of addendum as revised in draft revisions by Eugene special Counsel	No Agreement at this time
Fee Review				Comcast pay fee review--\$36,000 LCOG--\$23,000 ½ of difference

ORDINANCE NO. _____

**AN ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 19775
AND ORDINANCE NO. 20397 GRANTING TO COMCAST OF OREGON
II, INC. A FRANCHISE FOR OPERATION OF A CABLE
TELECOMMUNICATIONS SYSTEM.**

The City Council of the City of Eugene finds that:

A. The federal Cable Act requires a franchise for the operation of cable telecommunications systems and provides for a formal or informal renewal process under the Cable Act.

B. The Cities of Eugene and Springfield, together with Lane County, granted a franchise to Comcast of Oregon II, Inc. ("Comcast") for the operation of a cable communication system, and have designated the Metropolitan Policy Commission (MPC), acting as the cable commission, as the representative of the local franchising authorities in administration of the franchise.

C. The City of Eugene enacted Ordinance No. 19775 on May 13, 1991, granting the franchise.

D. The City of Eugene enacted Ordinance No. 20397 on October 22, 2007, amending and renewing the franchise through August 1, 2018.

E. The parties had been negotiating in good faith to renew the franchise by the August 1, 2018 expiration date, but were unable to complete negotiations by that deadline. Therefore, on July 23, 2018, the City of Eugene enacted Ordinance No. 20604, extending the term of the franchise up to and through January 1, 2019.

F. The Cities of Eugene and Springfield, Lane County, and Comcast continue good faith negotiations under the Cable Act's informal process to renew Comcast's cable franchise, however, the parties anticipate those negotiations will not be completed in a timeframe that would allow the City of Eugene to adopt a franchise renewal by January 1, 2019.

G. The Cities of Springfield and Eugene, and Lane County have determined that it serves the public welfare to extend the term of the current franchise from January 1, 2019 up to and through June 30, 2020.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The franchise granted to Comcast in Ordinance No. 19775 and Ordinance No. 20397 shall be extended up to and through June 30, 2020.

Section 2. The City of Eugene and Comcast agree that execution of this extension does not waive any rights that either party may have under the Cable Communications Policy Act of 1984, as amended, 47 U.S.C. §§ 521 *et seq.*, or other provision of federal, state, or local law.

Section 3. Other than the duration of the franchise set forth herein, Ordinance 19775 and Ordinance No. 20397 shall continue in full force and effect.

Passed by the City Council this

____ day of _____, 2018

City Recorder

Approved by the Mayor this

____ of _____, 2018

Mayor