



Eugene City Council

125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

February 18, 2020

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

Meeting of February 18, 2020;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Emily Semple, President
Mike Clark
Chris Pryor
Betty Taylor

Jennifer Yeh, Vice President
Greg Evans
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL PUBLIC HEARING

- 1. PUBLIC HEARING: An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: River Road Parks & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; and Willakenzie Rural Fire Protection District.**

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 Hearing: An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: River Road Parks & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; and Willakenzie Rural Fire Protection District.

Meeting Date: February 18, 2020
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Althea Sullivan
Contact Telephone Number: 541-682-5485

ISSUE STATEMENT

The City Council will hold a required public hearing to consider an ordinance concerning the annual withdrawal of annexed land from special service districts.

BACKGROUND

State law and local code require properties that are annexed to cities to withdraw from special service districts through a separate process after the annexation of those properties becomes effective. When annexed properties are withdrawn from special districts, the City assumes responsibility for providing services (such as fire protection and water service) formerly provided by the special districts, and the properties are included on the City tax roll (instead of the special service district).

Withdrawals come before the City Council on an annual basis. Properties annexed during the previous year are batched together to facilitate this process. The 2020 batch contains 10 annexations approved by City Council in 2019 and early 2020—for a total of 11 tax lots.

The special districts affected by this year's annexations are the River Road Park & Recreation District, River Road Water District, Santa Clara Rural Fire Protection District, Santa Clara Water District, and Willakenzie Rural Fire Protection District.

Withdrawals from special districts are reviewed by the City Council through a public hearing process, consistent with state law and local code requirements. After the public hearing, the City Council will be asked to determine whether the withdrawals meet the approval criterion established by state law and local code; the only approval criterion is that the City "shall determine whether the withdrawal is in the best interest of the city" (Eugene Code section 9.7835).

The attached ordinance (see Attachment A) describes the affected properties and withdraws them from special districts. If the withdrawals are found to be in the City's best interest, the ordinance should be adopted to make the withdrawals effective.

Withdrawals are time-sensitive. State law provides that, if a withdrawal is not approved prior to March 31, the withdrawal does not become effective until July 1 of the following year (i.e., 2021 for these properties). This delay would mean that the properties will remain on the tax roll of the special service districts that no longer provide services to the property for more than a year. Approving the withdrawal ordinance prior to March 31, 2020, will result in the withdrawals taking effect on July 1, 2020, and those properties being included on the City tax roll immediately thereafter. City Council action on the ordinance is scheduled for February 24, 2020.

Public notice of the hearing was published and posted as required by state law and local code requirements, including notice to the affected special service districts. Staff will provide any written testimony received to council at the public hearing. The inclusion of these properties on City tax rolls and withdrawal from special districts taxation is anticipated by the property owners as well as by special districts as part of the annexation process.

Legal descriptions and maps showing the location of each annexed property subject to withdrawal from special service districts are included in Attachment A (see Exhibits A through J).

PREVIOUS COUNCIL DIRECTION

Withdrawals of recently annexed properties from special districts are routinely batch-processed on an annual basis. This is the first step in a two-step process that includes City Council public hearing followed by City Council action.

COUNCIL OPTIONS

No action is required at this time; however, options will be provided at the time of City Council action which is scheduled for February 24, 2020.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Following the public hearing and City's receipt of any testimony, the City Manager will make a recommendation to be included in the council's materials for its February 24, 2020, meeting.

ATTACHMENTS

A. Draft Ordinance, including Exhibits A-J (maps and legal descriptions of subject properties)

FOR MORE INFORMATION

Staff Contact: Althea Sullivan, Assistant Planner

Telephone: 541- 682-5485

Staff e-mail: ASullivan@eugene-or.gov

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR WITHDRAWAL OF ANNEXED PROPERTIES FROM THE FOLLOWING SPECIAL DISTRICTS: RIVER ROAD PARK & RECREATION DISTRICT; RIVER ROAD WATER DISTRICT; SANTA CLARA RURAL FIRE PROTECTION DISTRICT; SANTA CLARA WATER DISTRICT; AND WILLAKENZIE RURAL FIRE PROTECTION DISTRICT.

The City Council of the City of Eugene finds that:

A. Notice of the proposed withdrawal of real property which has been annexed to the City from the River Road Park & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; and Willakenzie Rural Fire Protection District ("the Districts") was published in the Register-Guard on February 4 and 11, 2020, posted in the Lane County Public Service Building, the Eugene Downtown Library, Eugene's Building and Permit Service Center in the Atrium Building and at the Eugene City Manager's Office for a period of two successive weeks prior to the hearing date, and mailed to the affected public service districts.

B. The Notice provided that a public hearing was scheduled for February 18, 2020, at 7:30 p.m., in Harris Hall at the Lane County Public Service Building in Eugene, Oregon, to allow the City Council to hear objections to the withdrawals and to determine whether the withdrawals are in the best interest of the City.

C. The City is willing to assume the liabilities and indebtedness previously contracted by the Districts proportionate to the parts of the Districts that have been annexed to the City upon the effective date of the withdrawals as provided in ORS 222.520.

D. The withdrawals of the annexed territories from the Districts are consistent with adopted City policies, and are in the best interest of the City.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The following territories in Lane County, Oregon, annexed to the City of Eugene by Resolution of the Eugene City Council, are withdrawn from the Districts indicated effective July 1, 2020:

River Road Park & Recreation District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Map & Legal Desc.
Morrow / Thomas	A18-11	503 Sunnyside Drive	17-04-24-32	3300	5261	3/11/2019	3/21/2019	Ex. A
Kohler	A19-3	112 Hansen Ln. & 114 Hansen Ln.	17-04-25-21	3200	5275	9/9/2019	11/6/2019	Ex. B
Burnham	A19-8	625 Howard Ave.	17-04-14-42	6500	5282	11/25/2019	12/4/2019	Ex. C

River Road Water District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Map & Legal Desc.
Morrow / Thomas	A18-11	503 Sunnyside Drive	17-04-24-32	3300	5261	3/11/2019	3/21/2019	Ex. A
Kohler	A19-3	112 Hansen Ln. & 114 Hansen Ln.	17-04-25-21	3200	5275	9/9/2019	11/6/2019	Ex. B
Burnham	A19-8	625 Howard Ave.	17-04-14-42	6500	5282	11/25/2019	12/4/2019	Ex. C

Santa Clara Rural Fire Protection District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Map & Legal Desc.
Porter	A18-12	320 Santa Clara Ave.	17-04-11-43	2500	5273	6/10/2019	6/18/2019	Ex. D
Osuna	A19-1	South of Blackfoot Ave.; west of Crocker Rd.	17-04-11-22	320	5263	4/8/2019	4/16/2019	Ex. E
Therrell	A19-2	187 Swain Ln.	17-04-02-42	402	5276	9/9/2019	11/6/2019	Ex. F
Senderling	A 19-5	4199 Scenic Dr.	17-04-02-14	100	5286	1/13/2020	1/24/2020	Ex. G
Kempf	A18-10	301 Dibblee Ln.	17-04-12-20	2700	5259	2/11/2019	2/21/2019	Ex. H

Santa Clara Water District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Map & Legal Desc.
Porter	A18-12	320 Santa Clara Ave.	17-04-11-43	2500	5273	6/10/2019	6/18/2019	Ex. D
Osuna	A19-1	South of Blackfoot Ave.; west of Crocker Rd.	17-04-11-22	320	5263	4/8/2019	4/16/2019	Ex. E
Therrell	A19-2	187 Swain Ln.	17-04-02-42	402	5276	9/9/2019	11/6/2019	Ex. F
Senderling	A 19-5	4199 Scenic Dr.	17-04-02-14	100	5286	1/13/2020	1/24/2020	Ex. G
Kempf	A18-10	301 Dibblee Ln.	17-04-12-20	2700	5259	2/11/2019	2/21/2019	Ex. H

Willakenzie Rural Fire Protection District

Name	File #	Site Address or Location	Assessor's Map	Tax Lot	Resolution	Approval Date	Effective Date	Map & Legal Desc.
LH Fund 3 LLC	A18-8	3510 Walton Ln.	17-03-08-31	2900	5260	3/11/2019	3/21/2019	Ex. I
LH Fund 3 LLC	A18-8	3510 Walton Ln.	17-03-08-31	3000	5260	3/11/2019	3/21/2019	Ex. I
Sebring	A18-9	435 Lindley Ln.	17-03-33-12	200	5258	1/14/2019	1/29/2019	Ex. J

Section 2. The City Recorder is requested to forward a copy of this Ordinance to the above referred Districts.

Passed by the City Council this

_____ day of February, 2020.

Approved by the Mayor this

_____ day of February, 2020.

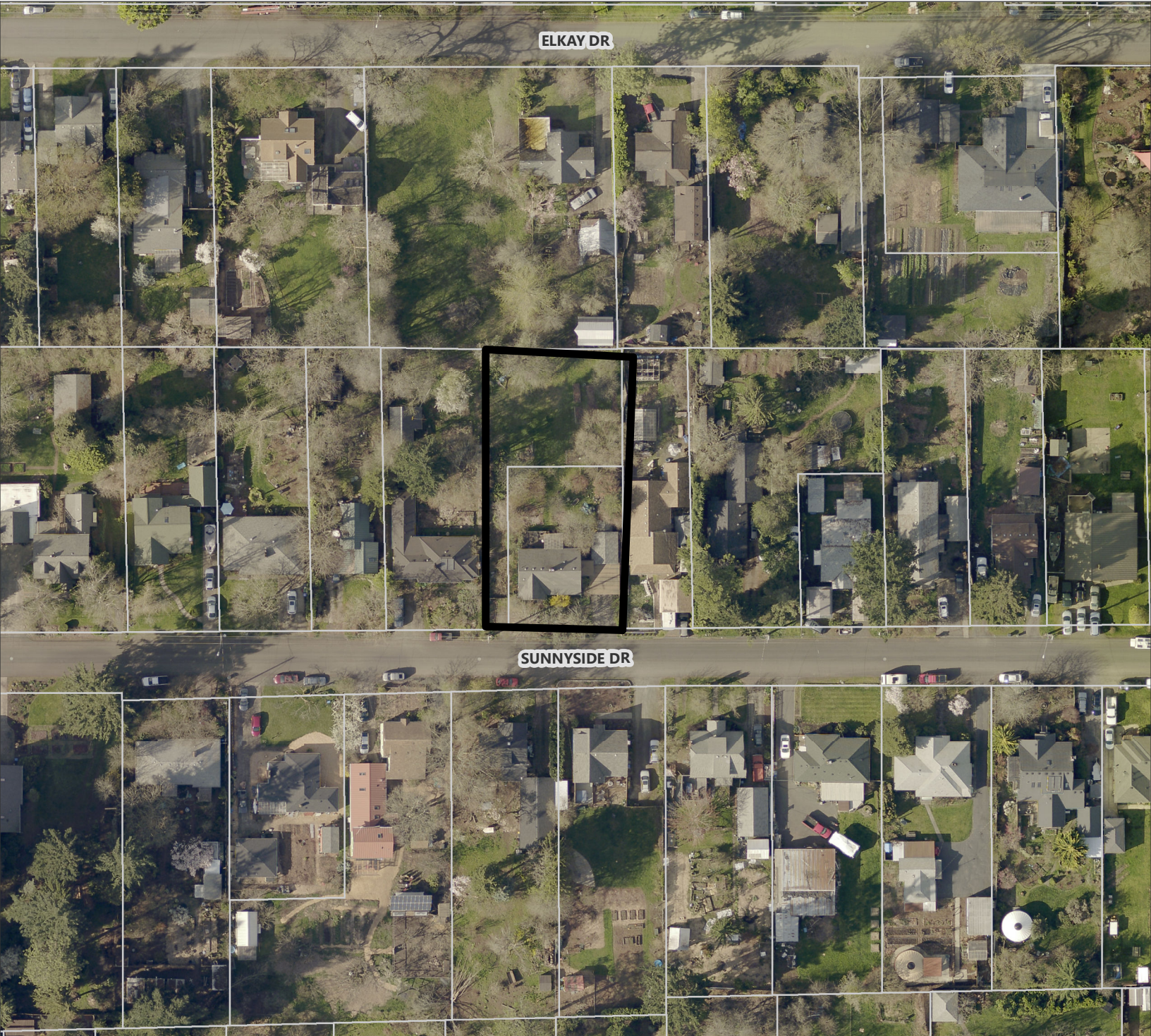
City Recorder

Mayor

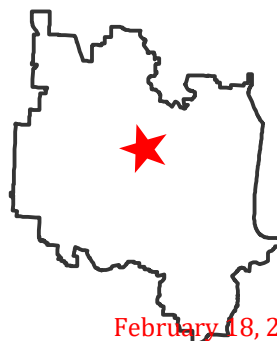


Morrow/Thomas (A 18-11)
503 Sunnyside Dr.

Exhibit A
Page 1



 Area of Withdrawal



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

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February 18, 2020, Public Hearing - Item 1

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**LEGAL DESCRIPTION
FOR THE ANNEXATION OF
THE RANDALL MORROW & DENISE THOMAS PROPERTY
TO THE CITY OF EUGENE
ASSESSOR'S MAP NO. 17-04-24-32, TAX LOT 3300
December 7, 2018**

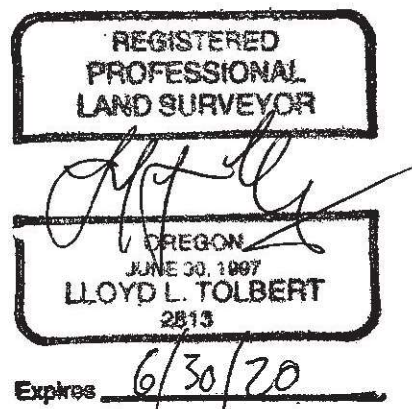
Beginning at a point 3830.40 feet EAST and 20.00 NORTH of the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Notification No. 2244 in Township 17 South, Range 4 West of the Willamette Meridian; thence WEST 90.00 feet; thence NORTH 183.00 feet; thence North 89°58'48" E 90.00 feet; thence SOUTH 183.03 feet to the place of beginning, all in Lane County, Oregon.

Containing 16,471, more or less

Also: That certain tract of land contained within the Sunnyside Drive right-of-way being more particularly described as:

Beginning at a point 3830.40 feet EAST of the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Notification No. 2244 in Township 17 South, Range 4 West of the Willamette Meridian; thence SOUTH 20.00 feet; thence WEST 184.20 feet; thence NORTH 40.00 feet; thence EAST 184.20 feet; thence SOUTH 20.00 feet to the place of beginning, all in Lane County, Oregon.

Containing 7,368, more or less



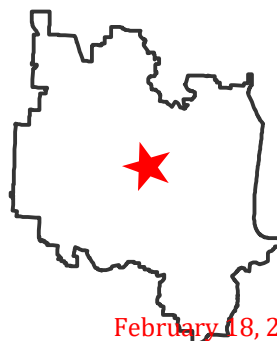


Kohler (A 19-3)
112 Hansen Ln. & 114 Hansen Ln.

Exhibit B
Page 1



 Area of Withdrawal



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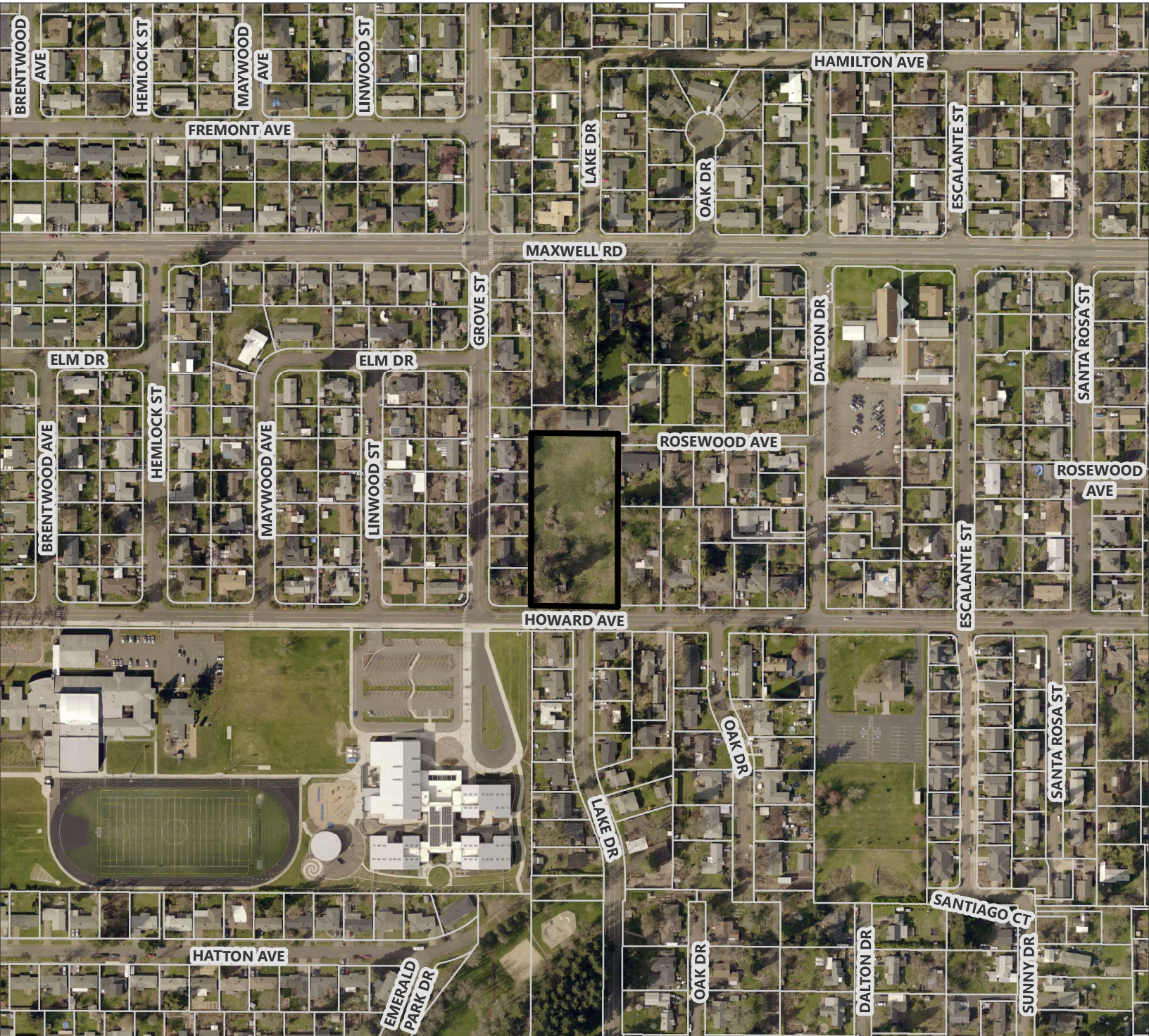
February 18, 2020, Public Hearing - Item 1

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**Legal Description for the Annexation
of
Assessor's Map No. 17-04-25-21 Tax Lot No. 3200
to the
City of Eugene
June 12, 2019**

Beginning at a point 541.0 feet West and 150.0 feet North of a point in the center of the County Road, known as the River Road, which point is North 8°40' West 1.77 chains from a point in the south line of the Lemuel E. Davis Donation Land Claim No. 42, Notification No. 2083, in Township 17 South, Range 4 West of the Willamette Meridian, 49.02 chains East from the Southwest corner of said claim, and from said beginning point run North 210.3 feet; thence West 120.9 feet; thence South 210.3 feet and thence East 120.9 feet to the place of beginning, and being a part of said Donation Land Claim No. 42, in Lane County Oregon.



 Area of Withdrawal



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Legal Description:

Beginning at a point 481.8 feet North of the Southwest corner of Donation Land Claim No. 48, Township 17 South, Range 4 West of the Willamette Meridian; thence South 1516.5 feet to the Point of Beginning;

Thence South $89^{\circ}44'$ East 202.6 feet;

Thence South 405.0 feet;

Thence North $89^{\circ}44'$ West 202.6 feet;

Thence North 405.0 feet to the Point of Beginning, in Lane County, Oregon.



Porter (A 18-12)
320 Santa Clara Ave.

Exhibit D
Page 1



 Area of Withdrawal



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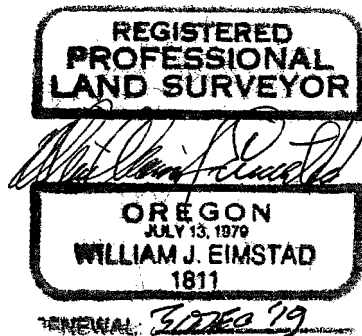
February 18, 2020, Public Hearing - Item 1

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LEGAL DESCRIPTION FOR THE ANNEXATION OF THE PORTER PROPERTY
TO
THE CITY OF EUGENE
SE 1/4 S. 11, T. 18 S., R. 4 W., W. M.
ASSESSOR'S MAP NO. 17 04 11 43
TAX LOT #2500
4 April 2019

Beginning at a point on the south right-of-way line of Santa Clara Avenue, 160.0 feet West of the initial point of "SILVER LEA THIRD ADDITION", as platted and recorded in Book 43, Page 7, Lane County Oregon Plat Records, Lane County, Oregon, said point also being 30.0 feet Southerly, when measured at right angles, from the centerline of said Santa Clara Avenue, and running thence along said south right-of-way line, West 76.08 feet to a point; thence leaving said right-of-way line, South 120.0 feet to a point; thence East 76.64 feet to a point; thence North 0°16' West 120.0 feet to the Point of Beginning, being all in Lane County, Oregon.



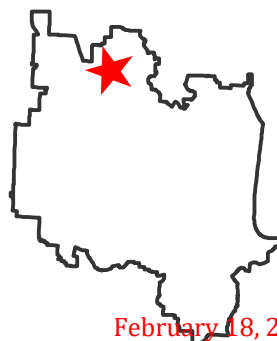


Osuna (A 19-1)
South of Blackfoot Ave.; west of Crocker Rd.

Exhibit E
Page 1



 Area of Withdrawal



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0 30 60 120



Legal Description of Affected Territory to be Annexed

(Tax Lot #320)

A unit of land being situated in the Northwest 1/4 Section 11, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being Lot 25, FIRST ADDITION TO ALYNDAL PLAT, as platted and recorded in Book 40, Page 3, Lane County Plat Records, in Lane County, Oregon and a portion of Blackfoot Avenue, and said unit of land being more particularly described as follows:

Beginning at the northeast corner of Lot 24, FIRST ADDITION TO ALYNDAL PLAT, said northeast corner being the intersection of the southerly right-of-way line of Blackfoot Avenue with the westerly right-of-way line of Crocker Road;

Thence along the southerly right-of-way line of Blackfoot Avenue, North 89°56'00" West 135.00 feet to the northeast corner of Lot 25, FIRST ADDITION TO ALYNDAL PLAT;

Thence along the easterly boundary of said Lot 25, South 05°46'52" East 127.77 feet to the southeast corner of said Lot 25;

Thence along the southerly boundary of said Lot 25, North 89°56'00" West 132.43 feet to the southwest corner of said Lot 25;

Thence along the westerly boundary of said Lot 25, North 00°12'00" West 127.11 feet to the northwest corner of said Lot 25;

Thence North 00°04'00" West 60.00 feet to the northerly right-of-way line of Blackfoot Avenue;

Thence along the northerly right-of-way line of Blackfoot Avenue, South 89°56'00" East 254.72 feet to the intersection of the northerly right-of-way line of Blackfoot Avenue with the westerly right-of-way line of Crocker Road;

Thence South 00°12'00" East 60.00 feet to the point of beginning, all in Lane County, Oregon and containing 31,334 square feet (.72 acres) of land, more or less.





 Area of Withdrawal



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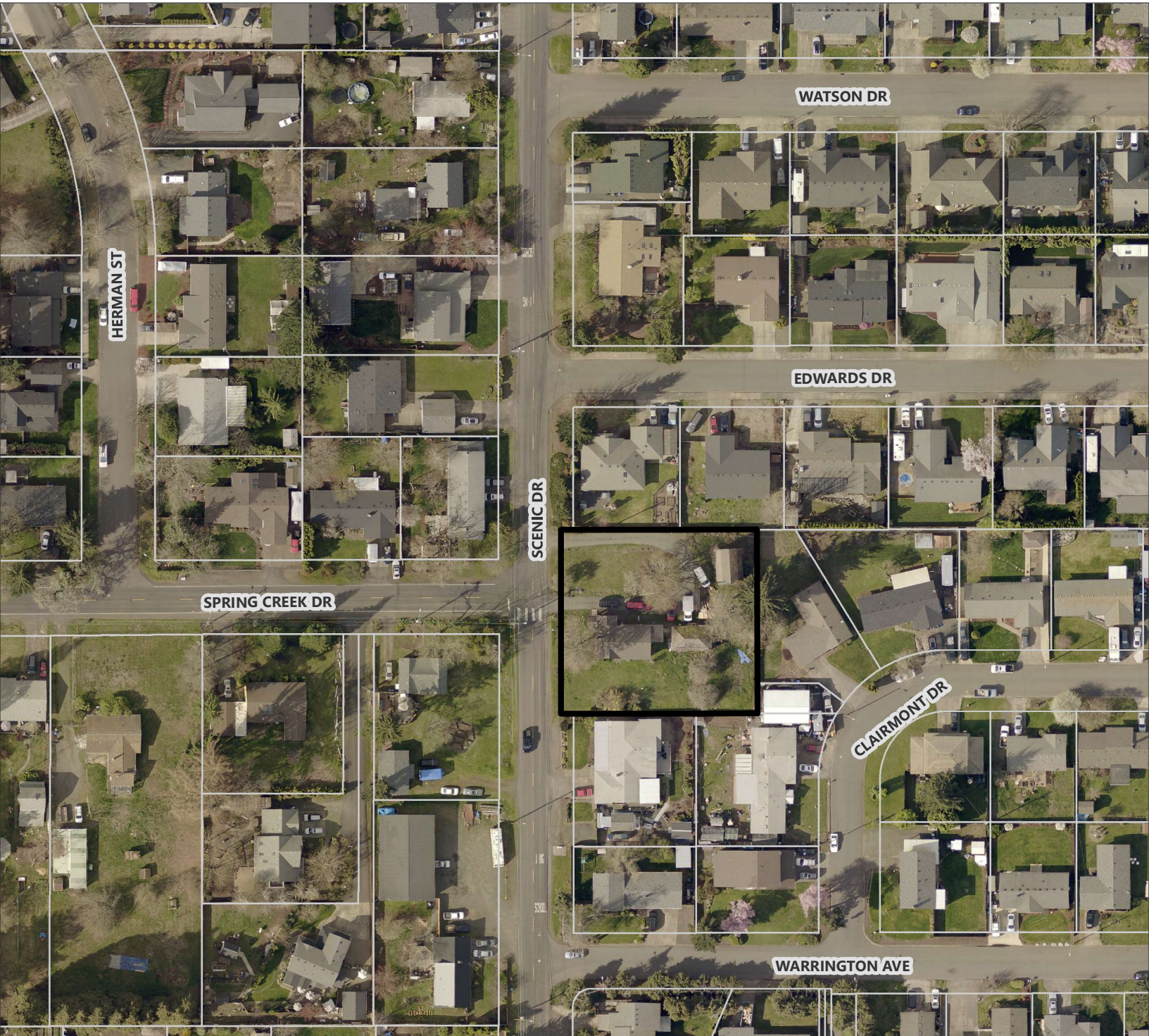
ANNEXATION LEGAL DESCRIPTION

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records, in Lane County, Oregon.



Senderling (A 19-5)
4199 Scenic Dr.

Exhibit G
Page 1



 Area of Withdrawal



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February 18, 2020, Public Hearing - Item 1

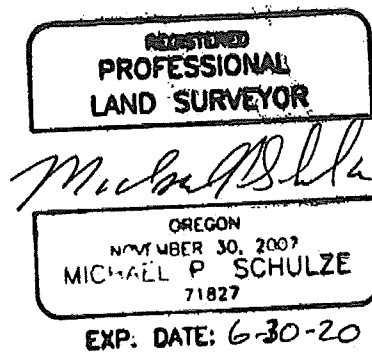
0 25 50 100



LEGAL DESCRIPTION:

A tract of land in the Southeast quarter of the Northeast quarter of Section 2, Township 17 South, Range 4 West, Willamette Meridian, Lane County, more particularly described as follows:

Beginning at a point North 1549.76 feet and North 89°56'45" East 550.08 feet from the Northwest corner of the B.W. Poindexter Donation Land Claim No. 57 in Township 17 South, Range 4 West of the Willamette Meridian, running thence North 89°56'45" East 150.00 feet, thence North 150.00 feet, thence South 89°56'45" West 150.00 feet, thence South 150.00 feet to the point of beginning, in Lane County, Oregon.





 Area of Withdrawal



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**Legal Description for the Annexation of the Kempf Property
to the City of Eugene
NW 1/4 of SECTION 12, T17S, R4W, W.M.
Lane County Assessor's Map 17-04-12-20, Tax Lot 2700**

A parcel of land situated in the Northwest One Quarter of Section 12, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon, said parcel being that property described in Bargain and Sale Deed recorded June 18, 2015, Reception No. 2015-028358, Lane County Deeds and Records, and being more particularly described as follows:

Beginning at the Northwest corner of that property described in Deed recorded June 18, 2015, Reception No. 2015-028358, Lane County Deeds and Records, said Point of Beginning being West, 2829.05 feet (record = 2829.98 feet) and South, 1303.70 feet (record = 1303.25 feet) and South 89°45'40" East, 1033.56 feet and South 0°04'20" West, 613.04 feet (record = 612.66 feet) from the Northeast corner of the L. Poindexter Donation Land Claim No. 52, Township 17 South, Range 4 West of the Willamette Meridian; from the Point of Beginning run thence South 88°55'34" East, 722.59 feet to an iron pipe; thence North 2°34'00" West, 143.43 feet to the Westerly line of THIRD ADDITION TO RIVERSIDE VISTA, as platted and recorded in Book 44, Page 24, Lane County Oregon Plat Records; thence along said Westerly line South 32°19'35" East, 430.34 feet; thence leaving said Westerly line run South 57°26'00" West, 194.11 feet; thence South 41°26'00" West, 66.00 feet; thence South 2°34'00" East, 66.00 feet to a point on a Boundary Agreement Line as marked on the ground and recorded in Book 200, Page 163, Lane County Oregon Deed Records; thence along said Boundary Agreement Line North 89°42'33" West, 502.17 feet to an iron pin; thence leaving said Boundary Agreement Line and running parallel with and 3.45 feet North of, when measured at right angles to, the North line of a certain tract of land as determined by Circuit Court Case No. 36727, as filed in Volume 95, Page 333, Records of Lane County Oregon, North 89°37'14" West, 158.25 feet to a point on the East line of a certain tract conveyed by Deed from Donald B. and Erma L. Kempf to Lane County, a political subdivision of the State of Oregon, as recorded on Reel No. 237-D, Reception No. 46272, Lane County Oregon Deed Records; thence along the East line of said tract North 0°04'20" East, 36.50 feet to the Northeast corner thereof, said Northeast corner being the Southeast corner of a certain tract of land conveyed by Deed recorded on Reel No. 221, Reception No. 14055, Lane County Oregon Deed Records; thence along the East line of said tract North 0°04'20" East, 120.00 feet to the Northeast corner thereof; thence along the North line of said tract, North 89°35'15" West, 82.00 feet to the Northwest corner thereof; thence North 0°04'20" East, 293.11 feet to the Point of Beginning, in Lane County, Oregon.

Containing 8.42 acres, more or less.

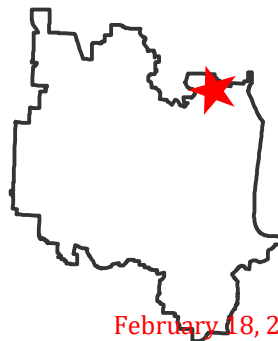
Bearings and distances in the foregoing description are based on that Boundary Survey by SSW Engineers Inc. filed June 22, 2018 as County Surveyor's File No. 44379.



RENEWAL DATE: 12.31.2019 February 18, 2020, Public Hearing – Item 1



 Area of Withdrawal



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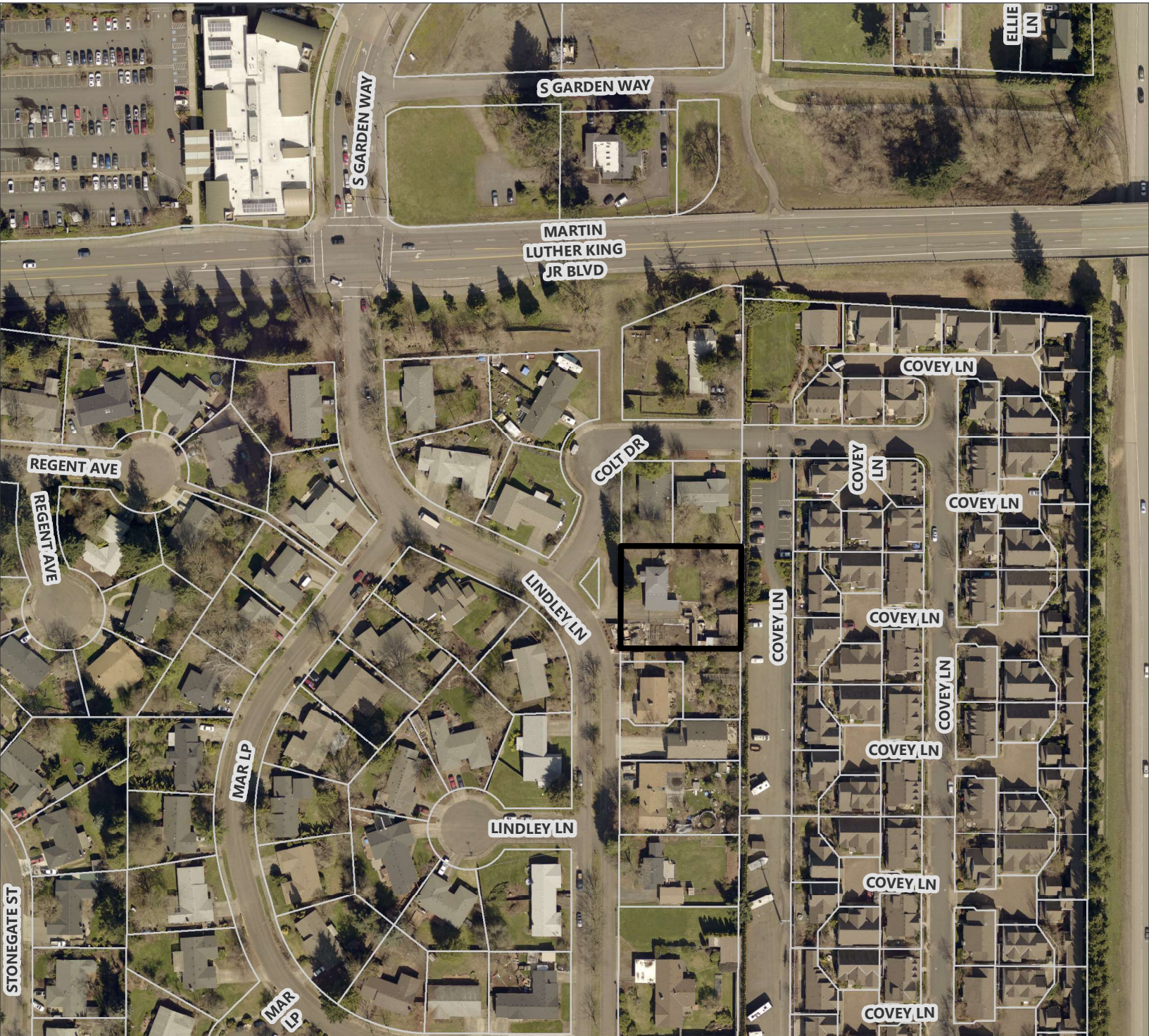
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Beginning at the Re-Entrant angle of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian, run thence South along the west line of said Donation Land Claim No. 39 a distance of 2552.40 feet; thence South 89°54'00" East 419.67 feet to the TRUE POINT OF BEGINNING; thence South 111.50 feet; thence South 89°54'00" East 179.00 feet; thence North 111.50 feet; North 89°54'00" West 179.00 feet to the TRUE POINT OF BEGINNING, in Lane County, Oregon.



Sebring (A 18-9)
435 Lindley Ln.

Exhibit J
Page 1



 Area of Withdrawal



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February 18, 2020, Public Hearing - Item 1

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**Legal Description for the Annexation
of
Assessor's Map No. 17-03-33-12 Tax Lot No. 200
to the
City of Eugene
October 5, 2018**

Lot 5, Meadow Vista as platted and recorded in Book 22, Page 21 Lane County Oregon Plat Records, all in Lane County Oregon.

Containing 18,050 sq. ft. more or less.