



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

July 25, 2016

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

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

Meeting of July 25, 2016;
Her Honor Mayor Kitty Piercy Presiding

Councilors

Greg Evans, President
George Brown
George Poling
Claire Syrett

Alan Zelenka, Vice President
Mike Clark
Chris Pryor
Betty Taylor

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue

5:30 p.m. A. WORK SESSION
City Hall Discussion

B. WORK SESSION
Cell Towers in Residential Areas

City Council President: I move to direct staff to prepare amendments to the city code, including items D-F as described in today's AIS, in addition to the previously-directed amendments.

Call for vote.

C. ACTION

Avago Technologies Enterprise Zone Investment

City Council President: I move to adopt Resolution No. 5166 for the two-year exemption extension.

Call for vote.

7:30 p.m. MEETING OF THE EUGENE CITY COUNCIL
Harris Hall, 125 East 8th Avenue

1. PUBLIC FORUM

Mayor: The Public Forum is an opportunity for individuals to speak to the City Council on any city-related issues except for those items which have already been heard by a Hearings Official or are on tonight's agenda as a public hearing.

Each person will have three minutes to speak. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known. The timer and lights indicate the time you have to speak. The red light indicates the end of three minutes.

Mayor closes Public Forum and asks for comments from the City Council.

2. CONSENT CALENDAR

(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

A. Approval of City Council Minutes

- June 22, 2016, Work Session
- June 27, 2016, Work Session and Meeting
- July 11, 2016, Work Session and Meeting
- July 13, 2016, Work Session
- July 18, 2016, Work Session and Public Hearing
- July 20, 2016, Work Session

B. Approval of Tentative Working Agenda

C. Adoption of Resolution 5164 Annexing Land to the City of Eugene (Kersey; A 16-3)

D. Adoption of Resolution 5165 Annexing Land to the City of Eugene (Forzano; A 16-4)

E. Appointment to the Human Rights Commission

F. Adoption of Council Order Approving Amendment of the Stormwater User Fee Schedule and Repeal of Administrative Order No. 58-15-05-F

G. Approval of Use of Community Development Block Grant Funds for Human Service Capital Facilities

City Council President: I move to approve the items on the Consent Calendar.

Call for vote.

3. ACTION

Appoint Members to West Eugene Enterprise Zone Public Benefit Criteria Review Task Force

City Council President: I move to appoint John Roberts, Jennifer McRaven and Councilors Syrett and Pryor to the Public Benefit Criteria Review Task Force.

Call for vote.

4. ACTION

An Ordinance Concerning Imposition of a Three Percent Tax on the Retail Sales of Recreational Marijuana; Adding Provisions to the Eugene Code, 1971; Providing For an Effective Date; and Referring the Code Amendments to the Electors of the City at the November 8, 2016 Election

City Council President: Move to adopt Council Bill 5156, an ordinance concerning imposition of a three percent tax on the retail sales of recreational marijuana.

Call for vote.

If ordinance is adopted:

City Council President: I move to appoint Councilors _____, _____, and _____ to the voters' pamphlet proponent committee for the Retail Cannabis Sales Tax.

Call for vote.

City Council President: I move to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to produce a voters' pamphlet.

Call for vote.

5. PUBLIC HEARING AND POSSIBLE ACTION

An Ordinance Concerning Climate Recovery and Amending Sections 6.675 and 6.685 of the Eugene Code, 1971.

Manager: Introduces topic, presents background information.

Mayor opens the public hearing: Those wishing to speak during the Public Hearing must submit a completed "Request to Speak" form to the information desk, prior to the beginning of the Public Hearing. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known; you will have three minutes to comment. There are lights on the timer; the red light indicates the end of three minutes.

Mayor: *Closes the public hearing.*

Mayor: *Asks for questions or comments from the City Council.*

Mayor: *Does any councilor object to taking action tonight?*

If yes: Schedule action for a future meeting.

If no:

City Council President: *I move to adopt Council Bill 5157, an ordinance concerning climate recovery.*

Call for vote.

6. WORK SESSION

Rest Stop Discussion

Adjourn.

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



Work Session: Cell Towers in Residential Areas

Meeting Date: July 25, 2016
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Robin Hostick
Contact Telephone Number: 541-682-5507

ISSUE STATEMENT

This work session is an opportunity for the City Council to discuss proposed land use code changes for cell towers in residential areas.

BACKGROUND

The livability of local residential neighborhoods is a core value for Eugenians. As such, it's important that the impacts from cell towers and related facilities are limited. At the same time, these facilities provide access to data and communication that most people in the community rely on every day.

Late last year, the City Council directed staff to initiate changes to the City's land use code regarding telecommunications (cell) towers. The proposed changes are intended to provide further protections to residential areas from the adverse impacts of cell towers, while complying with federal regulations designed to protect telecommunications companies from certain local government regulations.

While Eugene's existing ordinance has generally achieved the primary goal of minimizing the construction of new towers on residential lands (none built to-date), there has been more recent interest from a couple of cell providers to locate a few towers in residential areas. As staff understands it, the cell providers have established the majority of their cell tower networks. However, a few pockets of poor service remain. In addition, rising demand for wireless data and new technology have led to changes in how cell towers are located and used. These circumstances have prompted the City Council to discuss whether there is more the City can do to regulate new towers in residential areas (primarily the R-1, Low-Density Residential zone).

As discussed at previous work sessions, the Federal Telecommunications Act stipulates the extent to which a local government may regulate telecommunication facilities. One of the key provisions of this Federal Act states that local government regulations may not prohibit or "have the effect of prohibiting" the provision of personal wireless services. When the City's telecommunications provisions were first adopted, the incentives built in to promote collocation and direct new towers to nonresidential areas were largely successful. However, as the pressure increases to locate new towers in residential zones, the city may need stronger regulations to further protect the livability

of residential neighborhoods. As work is done to strengthen protections in the R-1 zone, it can be done as long as telecommunications companies are allowed to construct facilities where such facilities are needed to fill a “significant gap in service.”

On November 9, 2015, the City Council directed staff to make specific land use code changes based on a review of cell tower regulations from several other local jurisdictions, including the City of Glendale, California. These changes included the following:

- (A) Prohibit towers in the R-1 Low Density Residential zone, except where the applicant could demonstrate that the tower is needed to fill a significant gap in service (through a conditional use permit).
- (B) Require applicants to demonstrate that the tower is necessary to fill a significant gap in service and that it is the least intrusive means of doing so; and to include an alternative configuration analysis;
- (C) Adjust height limits to clearly prohibit heights greater than necessary to fill the identified service gap.

Since the time City Council directed staff to initiate the code changes described above, several issues have come to light during the review of recent proposals for cell towers and collocations of antennas on buildings. To proactively address these issues, staff recommends adding several items to the current package of code changes. These items respond to needs that have come up recently while still keeping a targeted scope of proposed changes that can be adopted relatively quickly using current resources. Staff recommends adding the following code changes:

- (D) To address compatibility and noise concerns, the land use code currently requires ancillary facilities in the R-1 zone to be undergrounded, unless a variance is obtained. Staff recommends requiring that ancillary facilities in the R-1 zone be undergrounded unless a variance is obtained and the facilities are fully enclosed in a building.
- (E) The land use code currently allows collocation of an antenna on “existing” buildings. To clarify the meaning of the term “existing” and to avoid potential unintended consequences, staff recommends defining “existing” to be a building in existence for a certain period of time prior to the collocation.
- (F) To address height and visual concerns, the land use code currently requires towers in R-1 to be set back from property lines a distance equal to the height of the tower. Staff recommends requiring that freestanding towers to be set back from residential property a distance of at least 150 percent of the height of the tower.

As the community discusses these proposed revisions, staff anticipates it will also hear ideas for other code revisions not yet proposed. The goal of the current, Council-directed revisions is to improve protections for residential neighborhoods on high-priority issues, and to get those adopted as soon as possible. Given the amount of other commitments and projects currently underway, it is not possible to expand the project to include a full revision of the cell tower code at

this time. If other potential revisions are identified through the public process, these can be prioritized by the City Council in the future, as staff resources become available.

Next Steps

Following direction from the City Council on the items listed above, staff will finish drafting the proposed code language. Once that's complete, staff will reach out to the public and other stakeholders for review and comment. A wide variety of stakeholders will be notified and encouraged to get involved, including individuals on interested party lists for previous cell tower projects. All comments will be shared with the Planning Commission and the City Council. If all goes as scheduled, formal adoption will be underway this fall (2016).

The formal adoption process includes discussion and a public hearing by the Planning Commission, after which the Planning Commission will make a recommendation to the City Council. The City Council will then hold a public hearing and make the final decision.

COUNCIL OPTIONS

1. Direct staff to proceed with land use code amendments listed as items D-F above in addition to the previously-directed amendments (items A-C above).
2. Direct staff to proceed with the amendments only as previously directed, listed as items A-C above.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends Council direct staff as outlined in Option 1 above.

SUGGESTED MOTION

Move to direct staff to prepare amendments to the city code, including items D-F as described in today's AIS, in addition to the previously-directed amendments.

ATTACHMENTS

None

FOR MORE INFORMATION

Staff Contact: Robin Hostick
Telephone: 541-682-5507
Staff E-Mail: robin.a.hostick@ci.eugene.or.us

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: Avago Technologies Enterprise Zone Investment

Meeting Date: July 25, 2016
Department: Planning and Development
www.eugene-or.gov

Agenda Item: C
Staff Contact: Denny Braud
Contact Telephone Number: 541-682-5536

ISSUE STATEMENT

Avago Technologies Wireless U.S.A. Manufacturing, Inc. (Avago) submitted an Enterprise Zone Authorization Application seeking a tax exemption on a proposed investment of \$400 million for the redevelopment of the former Hynix facility. The Authorization Application included a request for a two-year extension of the standard three-year exemption (total of five years). Council is being asked to consider approval of Avago's two-year extension request consistent with the conditions included in the resolution included in Attachment B.

BACKGROUND

At the May 11, 2016, work session, Council reviewed Avago's proposed investment and the two-year extension request. (See May 11 Agenda Item Summary - Attachment A for background information on the Enterprise Zone, summary of Avago's investment, financial impact, and history of the property).

Avago, a leading manufacturer and global supplier of a broad range of analog and digital semiconductor products, purchased the former Hynix facility in November 2015. The company is proposing a reuse of the facility that would include a \$100 million building upgrade and \$300 million in production equipment. The property is located in the West Eugene Enterprise Zone and is eligible for the standard three-year exemption. The exemption is designed to encourage new investment via short-term exemption, with the long-term goal of job creation and increasing tax revenue for taxing districts following the exemption. A qualified business is basically a (non-retail) manufacturing, processing, call-center, headquarters, distribution, or warehouse business that will increase its base employment by 10 percent. Avago has requested the optional two-year extension that, if approved, would extend the enterprise zone property tax exemption benefit to a total of five years.

Two-Year Extension:

The standard three-year property tax exemption may be extended for up to two years, subject to approval by the local sponsors (City and County) of the Enterprise Zone. To receive the extended exemption, a business firm must (1) provide all new employees an annual compensation of at least 150 percent of the county's average annual wage, (2) abide by any additional conditions that the sponsor may reasonably request, and (3) enter into a written agreement with the zone sponsor

confirming the conditions associated with the extended exemption. The provision for additional conditions associated with the two-year extension is guided by state administrative rules. If the additional conditions include an economic cost to the company, Oregon Administrative Rule (OAR 123-065-2540) state that any additional requirements “shall not substantially offset or reduce the relevant tax benefit for the eligible business firm, such that... these costs shall not exceed one-third of the tax savings...”

Avago has indicated that its expected average compensation (including benefits) as defined by the statutes will exceed 150 percent of County average annual wage requirement. Because Avago has not yet completed all the due diligence on the Eugene facility, and because specific job classifications for the Eugene operation have not been finalized, specific wage information is not available at this time.

Based on the proposed investment of \$400 million, the three-year total tax exemption has been estimated at \$14 million. The two-year extension is expected to provide an additional \$7 million tax exemption benefit (total exemption of \$21 million). Because the design of the facility has not been finalized, and because of the complexity associated with forecasting the tax assessment valuation of semiconductor equipment, the tax exemption estimates are preliminary. The City’s share of the standard three-year exemption represents a total of approximately \$6 million, and approximately \$3 million for the requested two-year extension. The City’s General Fund revenue forecast does not project any revenue associated with this investment.

Extension Agreement Terms

Staff worked with Avago to identify additional conditions that the company must meet in order to obtain the two-year exemption extension. These conditions were established to enhance the public benefits received as a result of the extension of the tax exemption. The draft extension agreement details are included in the resolution (Attachment B), and summarized below:

- Consistent with state statutes, Avago’s average annual compensation (with benefits) must be greater than or equal to 150 percent of county average wage.
- Avago must maintain a minimum average annual employment of 229 full-time employees in the West Eugene Enterprise Zone during the entire five-year tax exemption period;
- Avago has agreed to make an annual financial contribution to Lane Workforce Partnership in the amount of \$100,000 (total of \$500,000) that would be targeted to the following:
 - Support youth employment readiness programs (examples: Lane Workforce Partnership’s pre-apprenticeship program, paid work experience opportunities, National Career Readiness Certificate classes)
 - Support Science, Technology, Engineering, and Math programming in schools (examples: Lane Educational Services District’s STEM Hub, grants, teacher training)

Next Steps

If Council approves the extension request, the Lane County Board of Commissioners will be asked to approve the request. Following approval by both Zone sponsors, the City Manager and County Administrator will enter into an agreement with Avago consistent with the terms included in the resolution in Attachment B.

RELATED CITY POLICIES

The West Eugene Enterprise Zone encourages economic development activity targeted in the core area that supports adopted planning and policy goals and objectives. Examples include:

Envision Eugene Pillars

- *Provide ample economic opportunities for all community members*
 - 1(a). Plan for an employment growth rate of 1.4 percent. This growth rate translates into an increase of 35,800 jobs over 20 years.

 - 1(c). Work with property owners of current vacant or developed industrial lands, especially those larger than 25 acres, to reduce the financial and regulatory obstacles to development, with a goal of making these sites ready for development.

Regional Prosperity Economic Development Plan

- *By 2020, create 20,000 net new jobs in the chosen economic opportunity areas; reduce the local unemployment rate to, or below the state average; and increase the average wage to or above the state average.*

- *Strengthen Key Industries*
 - Identify strategies to address unique and logistical needs of existing and emerging industries
 - Develop associations or networks among targeted cluster businesses for innovative networking, information-sharing and provide opportunities for business growth
 - Pursue opportunities to expand and recruit businesses, ideas, and entrepreneurs into our region
 - Enhance our existing business and community

Bethel Economic Development Plan (Building a Better Bethel)

- *Expand regional workforce development partnerships*
 - The expansion of existing workforce development programs with area educational institutions is critical for a thriving economy that retains existing businesses as they grow and attracts new businesses

COUNCIL OPTIONS

1. Approve the exemption extension resolution (Attachment B).
2. Amend the terms and approve a resolution with the amended terms.
3. Deny the exemption extension.
4. Take no action at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approval of Avago's two-year extension request consistent with the conditions in the resolution (Attachment B).

SUGGESTED MOTION

Move to adopt Resolution 5166 for the two-year exemption extension.

ATTACHMENTS

- A. May 11, 2016, Agenda Item Summary
- B. Resolution 5166

FOR MORE INFORMATION

Staff Contact: Denny Braud
Telephone: 541-682-5536
Staff E-Mail: Denny.Braud@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Avago Technologies Enterprise Zone Investment

Meeting Date: May 11, 2016
Department: Planning & Development
www.eugene-or.gov

Agenda Item: A
Staff Contact: Denny Braud
Contact Telephone Number: 541-682-5536

ISSUE STATEMENT

Avago Technologies Wireless U.S.A. Manufacturing, Inc. (Avago) submitted an Oregon Enterprise Zone Authorization Application on April 22, 2016 (Attachment A), seeking a tax exemption on a proposed investment of \$400 million for the redevelopment of the former Hynix facility. The authorization application included a request for a two-year extension of the standard three-year exemption (total of five years). The council will be asked to consider the two-year extension request. This work session will provide background information and discussion in advance of future action on this item.

BACKGROUND

Avago, a leading manufacturer and global supplier of a broad range of analog and digital semiconductor products, purchased the former Hynix facility in November 2015. The company is proposing a reuse of the facility that would include a \$100 million building upgrade and \$300 million in production equipment. The property is located within the West Eugene Enterprise Zone and is eligible for the standard three-year tax exemption. Avago has requested the optional two-year extension that, if approved, would extend the enterprise zone property tax exemption benefit to a total of five years.

Enterprise Zone Program: The Oregon Enterprise Zone program is a State program established by the Legislature in 1985 for the primary purposes of job creation, encouraging new investment, diversification, and competitiveness. The existing West Eugene Enterprise Zone was designated in 2005 and is jointly sponsored by the City of Eugene and Lane County. The program offers a three-year property tax exemption for new buildings, renovation and expansion of buildings, and equipment investments made by qualified businesses located within a designated area defined by the zone sponsor. The exemption is designed to encourage new investment via a short-term exemption, with the long-term goal of job creation and increasing tax revenue for taxing districts following the exemption period. A qualified business is basically a (non-retail) manufacturing, processing, call-center, headquarters, distribution, or warehousing business that will increase its base employment by at least 10 percent. The West Eugene Enterprise Zone designation expires in 2016. Potential re-designation of the Zone will be discussed at an upcoming council work session(s).

Per state statutes, individual Enterprise Zone authorization applications are reviewed and approved jointly by the Zone Manager (Denny Braud, City of Eugene) and a representative from Lane County Assessment & Taxation. If investments meet all of the provisions included in the state statutes,

applications are required to be approved. Avago's two-year extension request is an optional consideration that would not, if denied, preclude the company from qualifying for the three-year tax exemption if they ultimately meet the basic programmatic, statutory requirements.

Two-Year Extension: The standard three-year property tax exemption may be extended for up to two years, subject to approval by the local sponsors (City and County) of the enterprise zone. To receive the extended exemption, a business firm must (1) provide all new employees an average annual compensation of at least 150 percent of the county's average annual wage, (2) abide by any additional conditions that the sponsor may reasonably request, and (3) enter into a written agreement with the zone sponsor confirming the conditions associated with the extended exemption. The provision for additional conditions associated with the two-year extension is guided by state administrative rules. If the additional conditions include an economic cost to the company, Oregon Administrative Rules (OAR 123-065-2540) state that any additional requirements "shall not substantially offset or reduce the relevant tax benefit for the eligible business firm, such that... these costs shall not exceed one-third of the tax savings..."

Avago has indicated that its expected average compensation (including benefits) as defined by the statutes, will exceed the 150 percent of County average annual wage requirement. Because Avago has not yet completed all of the due diligence on the Eugene facility, and because specific job classifications for the Eugene operation have not been finalized, specific wage information is not available at this time.

Financial Impact: Based on the proposed investment of \$400 million, the three-year total tax exemption has been estimated at \$14 million. The two-year extension is expected to provide an additional \$7 million tax exemption benefit (total exemption of \$21 million). Because the design of the facility has not been finalized, and because of the complexity associated with forecasting the tax assessment valuation of semiconductor equipment, the tax exemption estimates are preliminary. The City's share of the standard three-year exemption represents a total of approximately \$6 million, and approximately \$3 million for the requested two-year extension. The City's General Fund revenue forecast does not project any revenue associated with this investment.

Avago plans to hire engineers, technicians and factory operators, along with administrative and management positions. Initial employment is estimated to be 229 jobs. Additionally, contracted support services for the facility provide significant job creation outcomes. At a projected average compensation of at least 150 percent (\$59,073) of the average county wage (\$39,382), the company would establish an annual local payroll conservatively estimated at \$13.5 million. Over the tax exemption period, the direct payroll impact is estimated at \$40 million for three years, and \$67 million for five years. Benefits such as health insurance, 401K, and vacation are offered. The company plans to utilize a portion of the former Hynix facility initially, with the opportunity to expand into additional space in the future. Future expansion would include additional employment and significant additional investment.

Avago's investment is expected to have ripple effects throughout the local economy. The \$100 million upgrade will generate short-term jobs and associated income. Using an input-output model to estimate the number of jobs and income impacts associated with construction expenditures, the upgrade is expected to directly generate over 700 construction-related jobs with an average annual wage of approximately \$46,000. The construction activity will have additional impacts on the Lane County economy, supporting an additional 400 plus jobs. (Based on IMPLAN model input-output analysis to

estimate short-term jobs and wages). These figures do not include jobs and income associated with the \$300 million investment in new production equipment. Most of the equipment will be manufactured outside Lane County. There will be additional impact to the local economy, as the equipment is delivered and installed.

Because the enterprise zone tax exemption will only cover the new investments made by Avago within the zone, property that is currently on the tax roll will continue to pay property taxes (currently approx. \$590,000/yr.).

Timing: The two-year extension must be requested as part of the initial authorization application, which must be submitted prior to a new investment being made. The extension cannot be requested later, and the extension request must be acted on (approved/denied) prior to the Zone Manager's approval of the authorization application. If council approves the two-year extension, the request would then be considered by the Lane County Board of Commissioners. Avago has indicated that due diligence and design work would occur in 2016, building renovation would occur in 2017, equipment installation would occur in 2018, with production beginning in early 2019.

About Avago: Avago produces and sells a broad portfolio of analog and mixed signal chips, wireless radios, custom networking chips, and data center networking chips to a wide range of industries. With a portfolio of over 7,000 products, Avago's technologies are used in a large array of applications such as mobile phones, automotive electronics, and consumer electronics. The company is jointly headquartered in San Jose, California, and Singapore. The Eugene facility would be utilized to expand its wireless semiconductor manufacturing operations which focuses on components for the mobile phone industry. Avago has a similar wireless semiconductor manufacturing facility in Fort Collins, Colorado, which employs approximately 1,300.

Avago Technologies merged with Broadcom Corporation in January 2016, and the Avago Technologies operations took on the Broadcom Limited name. The company was founded in 1961 as a semiconductor products division of Hewlett-Packard. Avago Technologies went public on NASDAQ (AVGO) in 2009. The merger of Avago and Broadcom created the second largest communications chip maker and fourth largest wireless chipmaker in the world.

Hynix Facility History: Hynix (formerly Hyundai) announced plans to build a \$1.3 billion, 1.2 million square-foot semiconductor manufacturing facility in 1995, began production in 1998, and grew to approximately 800 employees. In 2001, Hynix experienced a six-month layoff of approximately 600 employees during a \$156 million equipment retooling. Hynix reached peak employment of approximately 1,000, with an additional 300 plus contract workers. The annual payroll reached approximately \$54 million. The Hynix facility received enterprise zone property tax exemptions, but was still the largest generator of property taxes in Eugene prior to ceasing operations in 2008. Close to \$2 billion was invested in the facility during its operating life. Annual property taxes paid peaked in FY05 at over \$6 million, and the property paid over \$4 million in property taxes in its final year of operation. The facility has been vacant for over seven years, and is currently paying approximately \$590,000 in annual property taxes. Avago Technologies purchased the facility at auction in November 2015 for \$20 million.

RELATED CITY POLICIES

Envision Eugene Pillars

- Provide ample economic opportunities for all community members.
- Provide for adaptable, flexible and collaborative implementation.

Regional Prosperity Economic Development Plan

- By 2020, create 20,000 net new jobs in the chosen economic opportunity areas; reduce the local unemployment rate to, or below, the state average; and increase the average wage to, or above, the state average.
- Continue to work with property and business owners to expand, upgrade and construct state-of-the-art facilities.
- Pursue opportunities to expand and recruit businesses, ideas, and entrepreneurs into the region that can enhance existing businesses and the community.

COUNCIL OPTIONS

Information only.

CITY MANAGER'S RECOMMENDATION

No recommendation provided at this time. Options and recommendation will be provided at a future meeting to be scheduled later in May.

SUGGESTED MOTION

Information only.

ATTACHMENTS

A. Avago Enterprise Zone Authorization Application

FOR MORE INFORMATION

Staff Contact: Denny Braud, Community Development Director

Telephone: 541-682-5536

Staff E-Mail: denny.braud@ci.eugene.or.us

RESOLUTION NO. _____

A RESOLUTION APPROVING A TWO-YEAR EXTENSION REQUEST FOR A PROPERTY TAX EXEMPTION TO AVAGO TECHNOLOGIES WIRELESS U.S.A. MANUFACTURING, INC. FOR ITS OPERATIONS IN THE WEST EUGENE ENTERPRISE ZONE.

The City Council of the City of Eugene finds as follows:

A. The City of Eugene and Lane County are co-sponsors of the West Eugene Enterprise Zone, which became effective on July 1, 2016.

B. Avago Technologies Wireless U.S.A. Manufacturing, Inc. (Avago) is an eligible business firm as provided in ORS 285C.135 and has the right under ORS 285C.175 to seek property tax exemptions in the enterprise zone.

C. Avago has filed an authorization application with the West Eugene Enterprise Zone Manager seeking a three-year property tax exemption for its operations in the West Eugene Enterprise Zone under ORS 285C.200(1). That application will be approved, if at all, by the West Eugene Enterprise Zone Manager and the Lane County Assessor.

D. Avago also seeks a two-year extension to the tax exemption, for a total five-year exemption.

E. If the Council approves the two-year extension, the request would then be considered by the Lane County Board of Commissioners.

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. Pursuant to ORS 285C.160, the City Council approves Avago's request for an additional two-year tax exemption at the end of any tax exemption period authorized by the West Eugene Enterprise Zone Manager and the Lane County Assessor pursuant to ORS 285C.140, provided that Avago complies with the following conditions for each year of the entire exemption period:

(a) All of Avago's new employees receive an average level of compensation equal to or greater than 150 percent of the county average annual wage, in accordance with the specific definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 674 (123-674-0600) which provides that:

(1) Such compensation may include non-mandatory benefits that can be monetized;

(2) The county average annual wage is set at the time of authorization, except as pursuant to ORS 285C.160(4), according to the 2014 Lane County average annual payroll rate of \$39,382, for which 150 percent equals \$59,073;

(3) Average level of compensation is calculated for new jobs, which is defined as jobs filled for the first time after submission of the authorization application and on or before December 31 of the first year for which an exemption is claimed and whose duties are performed within the current boundaries of the West Eugene Enterprise Zone; and

(4) Only full-time, year-round and non-temporary employees engaged in a majority of their time in Avago's eligible operations consistent with ORS 285C.135 & 285C.200(3) are counted, regardless if such employees are leased, contracted for or otherwise obtained through an external agency or are employed directly by Avago.

(b) Avago shall meet the following additional requirements as reasonably requested by the Zone Managers under ORS 285C.160(a)(B):

(1) Avago shall maintain a mandatory minimum level of full-time employees in the West Eugene Enterprise Zone equal to an annual average of 229 employees at all times during the exemption period. With each annual exemption claim, Avago must demonstrate they maintained the minimum annual average employment level of 229 employees during the previous calendar year.

(2) Avago shall pay to Lane Workforce Partnership \$500,000 in \$100,000 annual installments to be paid by July 1st in each of the 5 years of enterprise zone exemption to contribute to the following community benefits:

a. Support youth employment readiness programs (examples: Lane Workforce Partnership's pre-apprenticeship program, paid work experience opportunities, National Career Readiness Certificate classes); and

b. Support Science, Technology, Engineering, and Math programming in schools (examples: Lane Educational Services District's STEM Hub, grants, teacher training)

Section 2. This Resolution shall take effect only if the following two conditions are met:

(a) The West Eugene Enterprise Zone Manager and the Lane County Assessor approve the application for authorization for the initial three-year property tax exemption;

and

(b) Avago indicates, by signing below, that, based on its own considerations:

(1) Avago accepts the costs imposed by the conditions set forth in Section 1;

(2) The conditions of the tax exemption are reasonable and will be beneficial to it; and

(3) Avago is committed to satisfying the conditions and requirements set forth herein.

Section 3. In the event that Avago fails to comply with any of the conditions in Sections 1 and 2 of this Resolution, the City Manager shall notify the county assessor that Avago has become unqualified for the exemption.

The foregoing Resolution adopted the _____ day of __, 2016.

City Recorder

**ACCEPTANCE OF RESOLUTION NO. _____ OF
THE CITY OF EUGENE, OREGON**

TO THE MAYOR AND COUNCIL OF THE CITY OF EUGENE:

Avago Technologies Wireless U.S.A. Manufacturing, Inc. (Avago) hereby accepts Resolution No. _____ of the City of Eugene, Oregon, and all the terms and conditions of the Resolution. Avago specifically acknowledges its acceptance of the provisions of paragraph (b) of Section 2.

Dated this _____ day of _____, 2016.

Avago Technologies Wireless U.S.A. Manufacturing, Inc.

By: _____

Title: _____

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: July 25, 2016
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
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: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: July 25, 2016
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2A
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 following minutes: June 22, 2016, Work Session; June 27, 2016, Work Session and Meeting; July 11, 2016, Work Session and Meeting; July 13, 2016, Work Session, July 18, 2016, Work Session and Public Hearing, and July 20, 2016, Work Session.

ATTACHMENTS

- A. June 22, 2016, Work Session
- B. June 27, 2016, Work Session and Meeting
- C. July 11, 2016, Work Session and Meeting
- D. July 13, 2016, Work Session
- E. July 18, 2016, Work Session and Public Hearing
- F. July 20, 2016, Work Session

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

MINUTES

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

June 22, 2016
12:00 p.m.

Councilors Present: George Brown, Betty Taylor, George Poling, Mike Clark, Greg Evans, Chris Pryor

Councilors Absent: Alan Zelenka, Claire Syrett

Mayor Piercy opened the June 22, 2016, work session of the Eugene City Council.

A. WORK SESSION: Parks and Recreation System Plan Update

Principal Planner Carolyn Burke, Parks and Open Space Division Manager Craig Carnagey, and Recreation Division Manager Craig Smith gave a PowerPoint presentation discussing parks and recreation efforts, vision, ideas and community engagement plans.

Council discussion:

- Other communities have publicly owned sports complexes; more research about this needed.
- Eugene has a need for and better distribution of community centers.
- As staff moves forward with planning, the critical element is what level of community commitment there is for the ideas.
- Free play opportunities are a really important for health of children.
- Need to communicate with schools about opportunities to partner for easy access to facilities.
- People are concerned about safety issues in parks; continue to address it.

B. WORK SESSION: Real Property Disposal Procedures

Community Development Manager Denny Braud and City Attorney Glenn Klein reviewed the real property disposal procedures that are in the code and a list of properties sold and the processes used.

Council discussion:

- Concerned about property being sold in haste.
- Council should know about potential sales before negotiations start.
- Procedures shouldn't squash potential creative ideas for surplus properties.
- Developers want confidentiality at the start of process; adequate safe guards are in place.
- Greater clarity on how process work is needed for council and community.
- Once it is decided to potentially sell property, public outreach needed.
- Request made to see other ordinances from other cities; better transparency needed.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

June 27, 2016
5:30 p.m.

Councilors Present: George Brown, Alan Zelenka, George Poling, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Betty Taylor, Greg Evans

Mayor Piercy opened the June 27, 2016, work session of the Eugene City Council.

A. WORK SESSION: Residential Food Waste Collection Pilot

Solid Waste Analyst Michael Wisth and Waste Prevention and Green Building Analyst Stephanie Scafa gave a PowerPoint presentation discussing the residential food waste pilot program that launches in the fall, goals for the program, logistics, and food prevention education efforts.

Council discussion:

- Concerns expressed about potential ventilation issues with compost sitting for two weeks.
- Food waste in landfills contribute to the greenhouse gases; this is a great alternative.
- If successful, goal will be to implement citywide as soon as practicable.
- Pilot program must be thoughtfully monitored to be successful.

B. WORK SESSION: Continued Work on the Climate Recovery Ordinance

Intergovernmental Relations Mangers Ethan Nelson gave a PowerPoint presentation reviewing the climate recovery ordinance, council motion from May 18, proposed targets and benchmarks, and proposed 350ppm goal.

Council discussion:

- Scenario planning gives us a tool box that is waiting for the city to use to move in that direction.
- I'm supportive to trying to create away to translate this into an actual outcome; targets needed.
- Concerned about hamstringing ourselves by adopting these benchmarks and targets.
- We need to engage community on how we want to meet goals and get input.
- Interested in having some real timelines around this.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to direct the City Manager to bring back to council a proposed ordinance that would adopt the provided near term targets and benchmarks to implement the goal set forth in the Climate Recovery Ordinance to achieve carbon neutrality for city operations by 2020 and a 50% reduction in community wide fossil fuel use by 2030. **PASSED 6:0**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to direct the City Manager to bring back to council a proposed ordinance that would adopt as the City of Eugene's community wide greenhouse gas goal, a community-wide greenhouse gas emissions level that is equivalent to Eugene's proportionate share of a global atmospheric greenhouse gas level of 350ppm by 2100, and an annual average emissions reduction level of 7.6% per year. **PASSED 6:0**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to direct the City Manager to bring back to the City Council, implementation options, timeline, and associated community impacts, including a cost-benefit analysis, for achieving the reductions required to meet the goal of 350ppm by 2100. **PASSED 6:0**

C. CONSENT CALENDAR

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to approve the items on the consent calendar. **PASSED 6:0**

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

**June 27, 2016
7:30 p.m.**

Councilors Present: George Brown, Alan Zelenka, George Poling, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Betty Taylor, Greg Evans

Mayor Piercy opened the June 27, 2016, meeting of the Eugene City Council.

Mayor Piercy honored Kris Bloch for her 27 years of service to the City of Eugene.

1. PUBLIC FORUM

1. Howard Saxion –Commended the council on defining climate benchmarks.
2. Jim Ney – Supported the climate recovery ordinance and the 350 ppm initiative.
3. Raging Grannies – Supported the climate recovery ordinance and efforts through song.
4. Patrice Dotson – Supported Kesey Square and homeless shelters; thanked council for service.
5. Joshua Skov – Supported climate recovery ordinance and updates to the climate action plan.
6. Robin Bloomgarden – Supported climate ordinance and updates to the climate action plan.
7. Laurie Powell – Supported public outreach for the climate ordinance and 350 ppm.
8. Linda Heyl – Supported climate recovery ordinance and 350 ppm.
9. David Ivan Piccioni – Supported climate efforts and new ways to gain energy and electricity.
10. Zach Mulholland – Supported the climate recovery ordinance and efforts.
11. Sue Sierralupé – Thanked council for support of homeless and Occupy Medical.
12. Drix – Supported greener Eugene and cleaning up neighborhoods.

2. PUBLIC HEARING AND ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.

No testimony was submitted.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to adopt Resolution 5157, adopting a Supplemental Budget; making appropriations for the City of Eugene for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016. **PASSED 6:0**

3. PUBLIC HEARING AND ACTION: A Resolution Adopting the Budget, Making Appropriations, Determining, Levying and Categorizing the Annual Ad Valorem Property Tax Levy for the City of Eugene for the Fiscal Year Beginning July 1, 2016 and Ending June 30, 2017; a Resolution Electing to Receive Sate Revenue Sharing Funds Pursuant to Section 221.770 of Oregon Revised Statutes; and a Resolution Certifying that the City of Eugene Provides the Municipal Services Required by Oregon Revised Statues Section 221.760 in Order to Receive State Shared Revenues.

1. John Barofsky – Supported funding for sister cities, neighborhood outreach, HRC, and Cahoots.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to adopt Resolution 5158 electing to receive State Revenue Sharing funds pursuant to Section 221.770 of Oregon Revised Statutes. **PASSED 6:0**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to adopt Resolution 5159 certifying that the City of Eugene provides the municipal services required by Oregon Revised Statutes Section 221.760. **PASSED 6:0**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to adopt Resolution 5160 adopting the budget, making appropriations, and determining, levying and categorizing the annual ad valorem property tax levy for the City of Eugene for the fiscal year beginning July 1, 2016 and ending June 30, 2017. **PASSED 6:0**

Mayor Piercy adjourned the meeting of the Eugene City Council and convened the meeting of the Eugene Urban Renewal Agency.

4. PUBLIC HEARING AND ACTION: A Resolution of the Urban Renewal Agency of the City of Eugene Adopting the Budget, Making Appropriation, and Declaring the Amount of Tax to be Certified for the Fiscal Year Beginning July 1, 2016 and Ending June 30, 2017.

1. John Barofsky – **Noted missed opportunity to explain to the public** how the URD works.

Council discussion:

- Staff should speak with budget chair and explain how URD works and interacts with our budget.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Poling, moved to adopt Resolution 1079 of the Urban Renewal Agency of the City of Eugene adopting the budget, making appropriations and declaring the amount of tax to be certified for the fiscal year beginning July 1, 2016 and ending June 30, 2017. **PASSED 6:0**

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

**July 11, 2016
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett *via phone*, Chris Pryor

Mayor Piercy opened the July 11, 2016, work session of the Eugene City Council.

A. WORK SESSION: City Hall Update

Central Services Director Kristie Hammitt gave a PowerPoint presentation discussing the bid outreach process, bid results, cost escalation drivers, and potential council options for the City Hall project.

Council discussion:

- Building a new city hall is not a new issue; the longer the discussion goes on, the higher the cost.
- City hall is a place for the people, it's the heart of the city and it is time to act.
- Costs are getting out of control and more time is needed; work with County on potential options.
- City is the seat of local government and needs adequate facilities to effectively operate.
- The City owns neither the butterfly lot nor the EWEB building.
- Not ready to revisit past decisions; the longer decisions are delayed, the more challenges will emerge.
- Waiting is costly; construction of a new courthouse idea could still be five-to-ten years away.
- All cost increases for the project are the result of what council asked staff to do.
- If a decision is made to move forward with construction, there will be $\frac{3}{4}$ of a block for future development.
- Council should do what is in the best interest of the community.
- The current space is unsatisfactory; a proper City Hall is needed.
- Goal is to make the right decision and be as frugal as possible.

MOTION AND VOTE *with friendly*: Councilor Evans, seconded by Councilor Zelenka, moved to postpone direction until after the Council meets with the County Board of Commissioners in a joint work session on July 14. The Council will hold a work session on July 18 either before or after its 7:30 meeting, during which Council could choose one of the above options, or a different one, and to review our project values and redesign the project to meet those values. If the council chooses this option, then unless the Council directs otherwise, our intention would be to provide notice for a public hearing on July 25 on a supplemental budget in order to preserve Council's option of accepting the GMP following the joint meeting. **PASSED 7:1** Councilor Brown opposed.

B. CONSENT CALENDAR

MOTION AND VOTE: Councilor Evans, seconded by Councilor Zelenka, moved to approve the items on the consent calendar, except item 4F. **PASSED 8:0**

VOTE ON ITEM 4F: PASSED 7:1, Councilor Taylor opposed.

The meeting adjourned at 6:43 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

**Jul 11, 2016
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett *via phone*, Chris Pryor

Mayor Piercy opened the Jul 11, 2016, meeting of the Eugene City Council.

1. PLEDGE OF ALLEGIANCE TO THE FLAG

League of Women Voter's representatives read the Declaration of Independence and led the recital of the Pledge of Allegiance to the Flag in honor of Independence Day on July 4.

2. CEREMONIAL MATTERS

Former Bethel School District Superintendent Colt Gill was honored for his years of service to the community, innovative ideas, projects completed, and for being appointed by Governor Kate Brown as the state's first Education Innovator Officer.

3. PUBLIC FORUM

1. Otto Poticha – Supported a new strategy for city hall and working with the County on options.
2. Eric Hall – Supported a new strategy for city hall and working with the County on options.
3. Charmaine Rehg – Supported a new strategy for city hall and working with the County on options.
4. Patty Hine – Supported the climate recovery ordinance amendments and the 350ppm goal.
5. Coreal Riday-White – Supported the climate recovery ordinance amendments and the 350ppm goal.
6. Laurie Powell – Supported the climate recovery ordinance amendments and the 350ppm goal.
7. Moshe Immerman – Supported more creative ideas around building a new city hall.
8. Scott Bartlett – Supported a new strategy for city hall and working with the County on options.

Council discussion:

- Everything staff did that caused a budget increase for city hall was directed by council.

5. WORK SESSION AND ACTION: City Council Review of 2016 Stormwater User Fee Increase

City Engineer Mark Schoening gave updates on the stormwater fee increase revision process; timeline; motivations for the increases; funding; and regulatory programs.

Council discussion:

- Money from Public Works' budget was diverted to city hall and now there's a need to backfill for it.
- Leaf program saves money for stormwater clean-up.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Zelenka, moved to affirm the 2016 Stormwater User Fee increase of 7.5 percent implemented by Administrative Order 58-16-08-F.

PASSED 5:3, Councilors Brown, Taylor, and Clark opposed.

The meeting adjourned at 8:32 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

July 13, 2016
12:00 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Piercy opened the July 13, 2016, meeting of the Eugene City Council.

A. WORK SESSION: Retail Cannabis Sales Tax

City Attorney Glen Klein gave a brief update on the legal requirements from the State to add a retail cannabis sales tax and information on the process.

Council discussion:

- Proposed ordinance represents an opportunity to take advantage of a potential new revenue source; important to note it won't apply to medical marijuana sales.
- The extra three percent in tax revenue can be dedicated to parks, human services, arts, and the general fund.
- Consideration should be given to adding a residency requirements at some point.
- Need to clearly communicate to voters where the money will go and how it will be spent.
- Proposal sets a bad precedent and the ballot measure will fail; the City does not tax tobacco or alcohol.
- In favor of 1,000 ft. buffer zone between businesses to start; this will help moderate competition factors.
- Staff input on potential uses of revenue is needed

MOTION AND VOTE: Councilor Evans, seconded by Councilor Zelenka, moved to direct the City Manager to move forward with the public hearing on July 18th on the proposed ordinance, and to schedule an additional work session to discuss possible regulation of retail marijuana sales businesses. **PASSED 7:1**, Councilor Brown opposed.

B. WORK SESSION: Rental Housing Code Overview

Code Compliance Supervisor Rachelle Nicholas and Planning Finance Director Lori Kievith gave a PowerPoint presentation discussing the history of the rental housing program, complaint procedure, program activity, examples of code violations, recommendations, fund overview, and next steps.

Council discussion:

- Support expressed for eliminating sunset date completely; program has proven its value.
- Sunset dates are a good idea and allow council to review and make changes to the program.

- Suggestion made to remove the sunset and add a review requirement into the ordinance.
- The program is a necessary and important safety and health function of the City.
- Support expressed for the Housing Policy Board recommendations; review of price per unit needed.
- Stronger education and outreach for the program recommended.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Zelenka, moved to direct the City Manager to prepare an ordinance to extend the sunset date to March 1, 2017 to allow time for further discussion of Housing Policy Advisory Board recommendations. **PASSED 8:0.**

The meeting adjourned at 1:15 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

**July 18, 2016
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, *Mike Clark via phone, Greg Evans via phone, Claire Syrett, Chris Pryor*

Mayor Piercy opened the July 18, 2016, work session of the Eugene City Council.

A. WORK SESSION: City Hall Update

Design and Construction Manager Mike Penwell updated cost estimates for moving forward with the current site for the City Hall project, moving to the Butterfly Lot, and other factors for Council to consider.

Council discussion:

- Time and money will be lost if a decision is made to move City Hall to the Butterfly Lot.
- Proposal for a two-story Farmers Market would allow more room to develop on the Butterfly Lot.
- The use of the current County Courthouse for Phase 2 of the City Hall project could result in millions in saving.
- Using the EWEB building for City Hall offers three times the space for half the price.
- Cooperation with the County is important; proposed task force is viable path forward.
- Open to creative options providing they don't lead to extensive delays.
- More information is needed about tangible benefits of considering other building sites.
- There is support for the creation of a task force, but with well-defined time parameters that allow participation in the next bidding cycle.
- City and County facilities need to be close together to maximize public benefit.
- The City could make a decision to rebid that is separate from the work of a task force.

MOTION: Councilor Zelenka, seconded by Councilor Taylor, moved to accept the guaranteed maximum price and proceed to a public hearing.

MOTION TO TABLE: Councilor Taylor, seconded by Councilor Syrett, moved to table until after the Executive Session. **PASSED 6:2**, councilors Zelenka and Poling opposed.

The meeting adjourned at 6:46 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

Eugene City Council and Urban Renewal Agency
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 18, 2016
7:30 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, *Mike Clark via phone, Greg Evans via phone, Claire Syrett, Chris Pryor*

Mayor Piercy opened the July 18, 2016, meeting of the Eugene City Council.

1. PUBLIC HEARING: An Ordinance Concerning Imposition of a Three Percent Tax on the Retail Sales of Recreational Marijuana; Adding Provisions to the Eugene Code, 1971; Providing for an Effective Date; and Referring the Code Amendments to the Electors of the City at the November 8, 2016 Election.

1. Emily Semple - Opposed the proposed ordinance and believed there was a lack of notice.

Council discussion:

- Staff noticed the public hearing in the required legal time.
- Bad idea to pick one product to tax; sets a bad precedent.

The Mayor adjourned the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

2. URBAN RENEWAL AGENCY EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(e)

The Eugene Urban Renewal Agency met in Executive Session held pursuant to ORS 192.660(2)(e) to discuss the negotiation of real property transactions.

The Mayor adjourned the meeting of the Eugene Urban Renewal Agency and reconvened the meeting of the Eugene City Council.

3. EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(e)

The Eugene City Council met in Executive Session held pursuant to ORS 192.660(2)(e) to discuss the negotiation of real property transactions.

The City Council returned from Executive Session.

MOTION ON THE TABLE AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to accept the guaranteed maximum price and proceed to a public hearing. **FAILED 1:7**, Councilor Zelenka in support.

Council discussion:

- Price tag is too expensive for the proposed facility; need to rebid project.
- All options with the County need to be on the table for negotiations.
- Task force concept will resonate with council and county and outcome will be favorable.
- Not moving forward now will add cost to the project.
- Task force should be finished by November 1.

The meeting adjourned at 8:52 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

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

**July 20, 2016
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Greg Evans

Mayor Piercy opened the July 20, 2016, meeting of the Eugene City Council.

A. WORK SESSION: Envision Eugene

Planning Director Robin Hostick and Planning Section Manager Terri Harding gave a PowerPoint presentation reviewing past council decisions on Envision Eugene; reviewing key topics for summer engagement; and options for council direction.

Council discussion:

- Keep all options open for how to generate community input.
- Reconsider earlier council decision on a 45/55 mix; changing mix could solve multi-family deficit.
- Goal is to use land more effectively, not just expand.
- Option B is more logical; land is already in short supply or unbuildable.
- Might be prudent to closely monitor the market and check back in three-five years.
- There is strong public sentiment that this community doesn't have a variety of housing options.
- There is no public will to significantly expand the urban growth boundary.
- Council decision on Tier 2 will not preclude community from offering other suggestions.
- Good public outreach strategies encouraged; EARS may also be used for public outreach.
- Strategy on mixed development on key corridors should be added and discussed.
- Items in Tier 2 should also be taken to the public.

MOTION AND VOTE *with friendly*: Councilor Zelenka, seconded by Councilor Taylor, moved to direct staff to focus on Tier 1 strategies, but accept comments on Tier 2 strategies and a higher density strategy along transit corridors for accommodating multi-family housing, as outlined in Attachment C, for further development and public engagement. **PASSED 7:0.**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to direct staff to move forward with public engagement activities for the UGB adoption package as described in Attachment F. **PASSED 6:1**, Councilor Clark opposed.

B. WORK SESSION: Update on Nightingale Health Sanctuary Rest Stop Update

City Manager's Office Division Manager Mia Cariaga gave an update on the status of the Nightingale Health Sanctuary Rest Stop and a possible relocation spot.

Council discussion:

- Experience with Nightingale on its current property has been a good one.
- In favor of work done by Nightingale, but not in favor of setting a new precedent for paying rent on property.
- Hope County will work in good faith with the City to address this issue.
- Hope City's actions and expressions of intent will persuade County to delay eviction of rest stop residents until a new site is available.
- Concerned about where money is coming from.
- Need to hear from Nightingale and look at other City-owned properties.
- County has as much responsibility as the City does in identifying and making rest stops available.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to extend the meeting 10 minutes. **PASSED 7:0.**

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved approval of this site as described and authority to spend up to \$4,500, and for staff to bring back city sites with relaxed criteria for future discussion. **PASSED 7:0**

The meeting adjourned at 1:44 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: July 25, 2016
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2B
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

Staff 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: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 22, 2016

JULY 25	MONDAY
----------------	---------------

5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences: Syrett	
A. WS: City Hall Discussion		
B. WS: Cell Towers		PDD/Hostick
C. Action: Avago Enterprise Zone Request		PDD/Braud

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Approval of Res. Annexing Lands on Gilham and Ayers Kersey, Daniel and Chris; A 16-3)		PDD/Gioello
d. Approval of Res. Annexing Lands on Hansen Lane East of River Road (Forzano; A 16-4)		PDD/Gioello
e. Appointment to Human Rights Commission		CS/Kinnison
f. Adoption of Order on Stormwater Rate Increase		PW/Schoening
g. Approval of CDBG Human Services Capital Facilities RFP		PDD/Jennings
3. Action: Appointments to West Eugene Enterprise Zone Public Benefit Criteria Review Task Force		PDD/Nobel
4. Action: Ordinance on Retail Cannabis Sales Tax		CAO
5. PH and Action: Climate Recovery Ordinance Amendments		CS/Nelson

JULY 27	WEDNESDAY
----------------	------------------

Noon	Council Work Session and Meeting of Urban Renewal Agency	
Harris Hall	Expected Absences:	
A. WS: URA – EWEB Riverfront Update		15 mins
B. WS: Olive Lofts MUPTE		30 mins – PDD/Nobel
C. WS: Minority, Women, & Disadvantaged Business Enterprise		45 mins – CS/Silvers

COUNCIL BREAK: JULY 28, 2016 – SEPTEMBER 12, 2016
--

SEPTEMBER 12	MONDAY
---------------------	---------------

5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Process Session		90 mins - CS

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Ceremonial Matters (APWA Reaccreditation)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
4. Committee Reports: LWP, Chamber of Commerce, HPB, LRAPA, MWMC		

SEPTEMBER 14	WEDNESDAY
---------------------	------------------

Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Retail Cannabis Regulations		45 mins – CS/
B. WS: Police Auditor & CRB Annual Reports		45 mins – PA/Gissiner

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 20, 2016

SEPTEMBER 19 MONDAY

7:30 p.m. Council Open Public Forum

SEHS Cafeteria Expected Absences:

1. Public Forum: South Willamette Planning

SEPTEMBER 21 WEDNESDAY

Noon Council Work Session

Harris Hall Expected Absences:

- A. WS: Police Auditor Annual Performance Evaluation 45 mins – CS/
- B. WS: \$15 Minimum Wage for City and Contract Employees 45 mins – CS/Hammitt

SEPTEMBER 26 MONDAY

5:30 p.m. Council Work Session

Harris Hall Expected Absences:

- A. Public Forum Follow-Up

7:30 p.m. Council Meeting

Harris Hall Expected Absences:

1. Public Forum
2. Consent Calendar
 - a. Approval of City Council Minutes CS/Forrest
 - b. Approval of Tentative Working Agenda CS/Forrest

SEPTEMBER 28 WEDNESDAY

Noon Council Work Session

Harris Hall Expected Absences:

- A. WS: Zone of Benefit/Reimbursement District for Privately Funded Public Improvements 45 mins – PW/Schoeig
- B. WS: 45 mins –

OCTOBER 10 MONDAY

5:30 p.m. Council Work Session

Harris Hall Expected Absences:

- A. Committee Reports and Items of Interest: HRC, SC, HSC, LCOG, MPC, PSCC 30 mins
- B. WS:

7:30 p.m. Council Meeting

Harris Hall Expected Absences:

1. Public Forum
2. Consent Calendar
 - a. Approval of City Council Minutes CS/Forrest
 - b. Approval of Tentative Working Agenda CS/Forrest

OCTOBER 12 WEDNESDAY

Noon Council Work Session

Harris Hall Expected Absences:

- A. WS: Envision Eugene 90 mins – PDD/Harding

OCTOBER 17 MONDAY

7:30 p.m. Council Public Hearing

Harris Hall Expected Absences:

1. PH:

A=action; PH=public hearing; WS=work session

J:\CMO\CC\CCAGENDA.docx

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 20, 2016

OCTOBER 19 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
A. WS: Healthy Downtown 45 mins – PDD/Hammond
B. WS:

OCTOBER 24 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences:
A. Committee Reports and Items of Interest from Mayor, City Council and City Manager 30 mins
B. WS:

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
1. Public Forum
2. Consent Calendar
a. Approval of City Council Minutes CS/Forrest
b. Approval of Tentative Working Agenda CS/Forrest

OCTOBER 26 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
A. WS:
B. WS:

NOVEMBER 9 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
A. WS: 45 mins –
B. WS: 45 mins –

NOVEMBER 14 MONDAY

5:30 p.m. Council Work Session
Harris Hall Expected Absences:
A. Committee Reports: LWP, Chamber of Commerce, HPB, LRAPA, MWMC
B. WS:

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
1. Public Forum
2. Consent Calendar
a. Approval of City Council Minutes CS/Forrest
b. Approval of Tentative Working Agenda CS/Forrest

NOVEMBER 16 WEDNESDAY

Noon Council Work Session
Harris Hall Expected Absences:
A. WS: 45 mins –
B. WS: 45 mins –

NOVEMBER 21 MONDAY

7:30 p.m. Council Public Hearing
Harris Hall Expected Absences:
1. PH:

A=action; PH=public hearing; WS=work session

J:\CMO\CC\CCAGENDA.docx

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 20, 2016

NOVEMBER 23	WEDNESDAY
--------------------	------------------

Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

NOVEMBER 28	MONDAY
--------------------	---------------

5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council and City Manager		30 mins
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

NOVEMBER 30	WEDNESDAY
--------------------	------------------

Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS:		45 mins –
B. WS:		

DECEMBER 12	MONDAY
--------------------	---------------

5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed		
B. WS:		

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Adoption of Resolution Acknowledging Receipt of CAFR		CS/Lauderbach
3. URA Action: Resolution Acknowledging Receipt of Annual Financial Report		CS/Lauderbach
4. URA PH and Action: Supplemental Budget		CS/Miller
5. PH and Action: Supplemental Budget		CS/Miller

DECEMBER 14	WEDNESDAY
--------------------	------------------

Noon	Council Work Session
Harris Hall	Expected Absences:
A. WS:	
B. WS:	

COUNCIL BREAK: DECEMBER 15, 2016 – JANUARY 9, 2017

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 20, 2016

ON THE RADAR

Work Session Polls/Council Requests	Status
1. Inclusionary Zoning (Taylor).....	TBD
2. Fireworks Ban (Syrett).....	TBD
3. Commercial Setback Code Requirement (Zelenka).....	TBD
4. Expansion of OVE Pilot Program (Zelenka).....	TBD

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of Resolution 5164 Annexing Land to the City of Eugene (Kersey; A 16-3)

Meeting Date: July 25, 2016
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2C
Staff Contact: Nicholas R. Gioello
Contact Telephone Number: 541/682-5453

ISSUE STATEMENT

This item is a request to annex approximately 2.95 acres (128,500 square feet) of land located at 3445 and 3463 Gilham Road and north of Ayers Road. The property is located within the Urban Growth Boundary (UGB), and is contiguous on all sides to other properties within the City limits.

The property is zoned AG/UL (Agricultural with Urbanizable Lands Overlay). The Metro Plan designates the subject property for Low Density Residential use. The applicable refinement plan is the Willakenzie Area Plan, which also designates the property for Low Density Residential use. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

In December 2007, the City Council adopted Ordinance No. 20400 establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, or denying an application for annexation; or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the City's Urban Growth Boundary (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. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements. Staff received no written correspondence regarding the proposal. As the City Council is aware, annexation applications are the first step in preparing property for development. The question before the council at this stage is whether the subject property should be included in the city limits. Future development will require a subsequent land use application, such as a subdivision. That land use application will also require public notice and opportunity for public comment. Issues such as traffic, density and other potential impacts will be fully evaluated at that time. Based on this information, staff does not believe a public hearing is warranted.

Referral comments were provided by affected agencies including City of Eugene Public Works, Eugene-Springfield Fire, and EWEB. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria.

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 Willakenzie Area Plan is the refinement plan applicable to the subject property. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B). In short, the proposal appears to meet all of the City's relevant policies concerning this annexation request.

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 draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt Resolution No. 5164, which approves the proposed annexation request consistent with the applicable approval criteria.

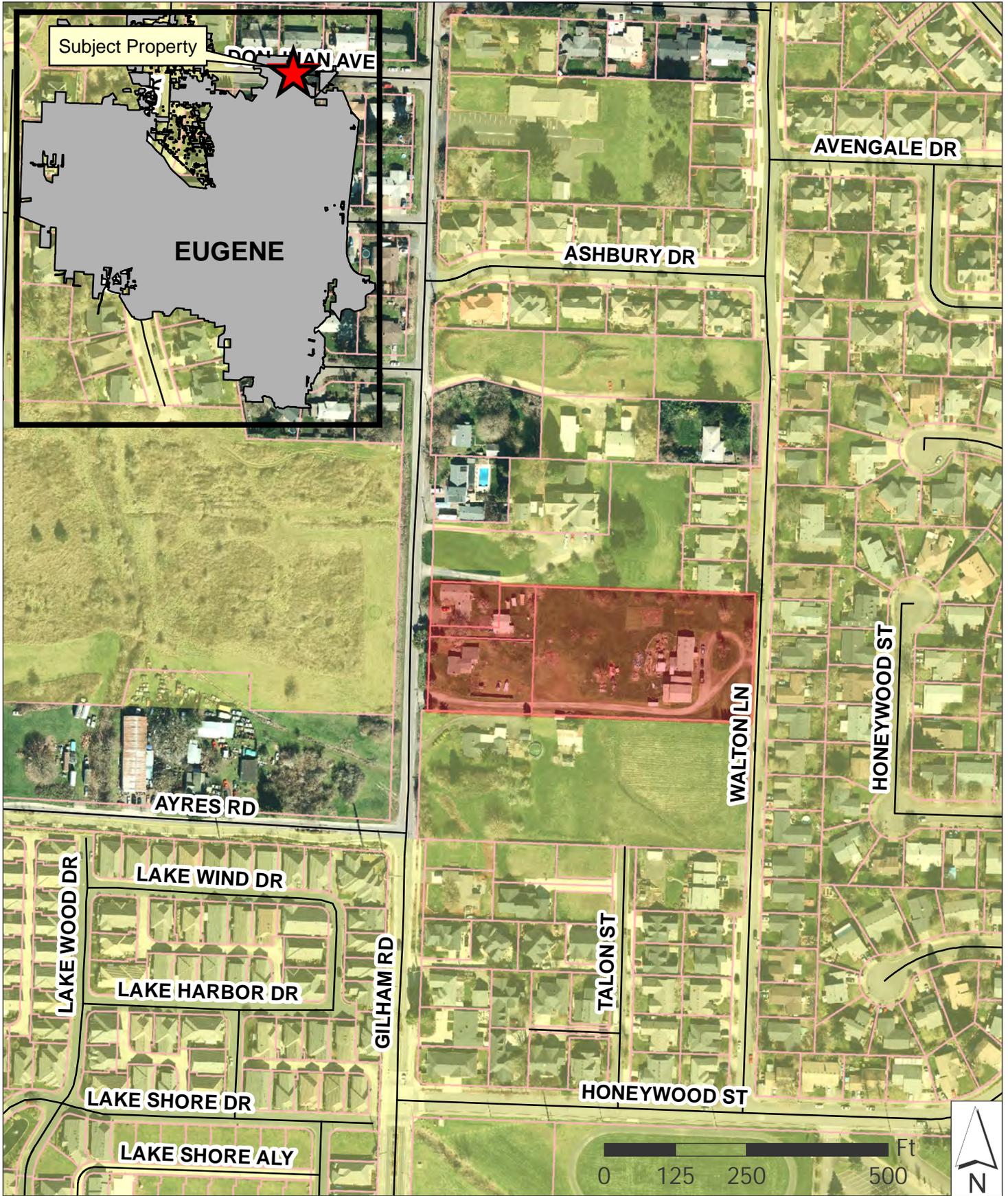
ATTACHMENTS

- 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: Nick.r.gioello@ci.eugene.or.us

Kersey (A 16-3)



Legend

- Subject Property
- City Limits
- Taxlots

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

July 2016



RESOLUTION NO. _____

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-08-31, TAX LOTS
3600, 3700, 3800 AND 3900).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Daniel and Christine Kersey on May 4, 2016, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-03-08-31, Tax Lots 3600, 3700, 3800 and 3900.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described 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 June 24, 2016, 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 applicants, owners and occupants of property within 500 feet of the subject property, and the Northeast Neighbors. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 25, 2016.

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:**

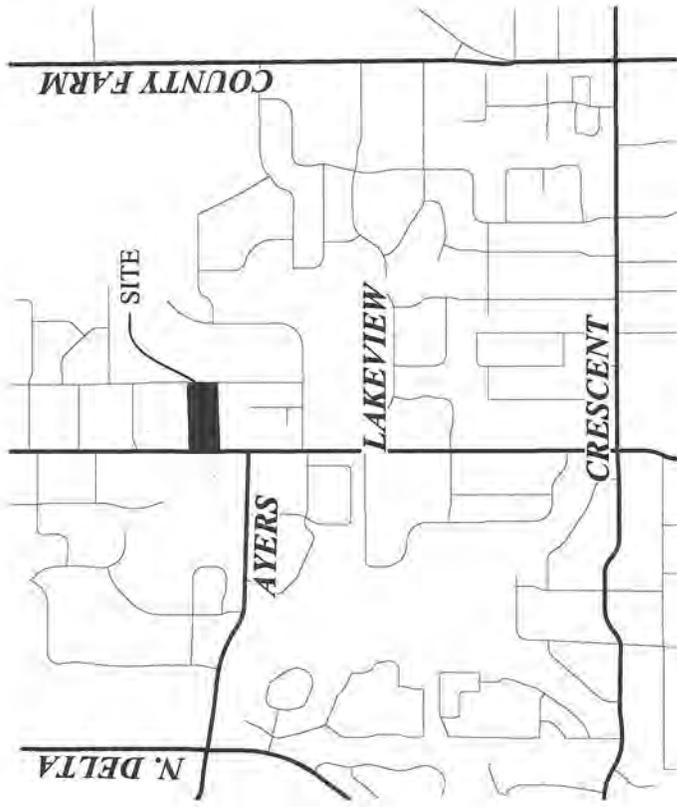
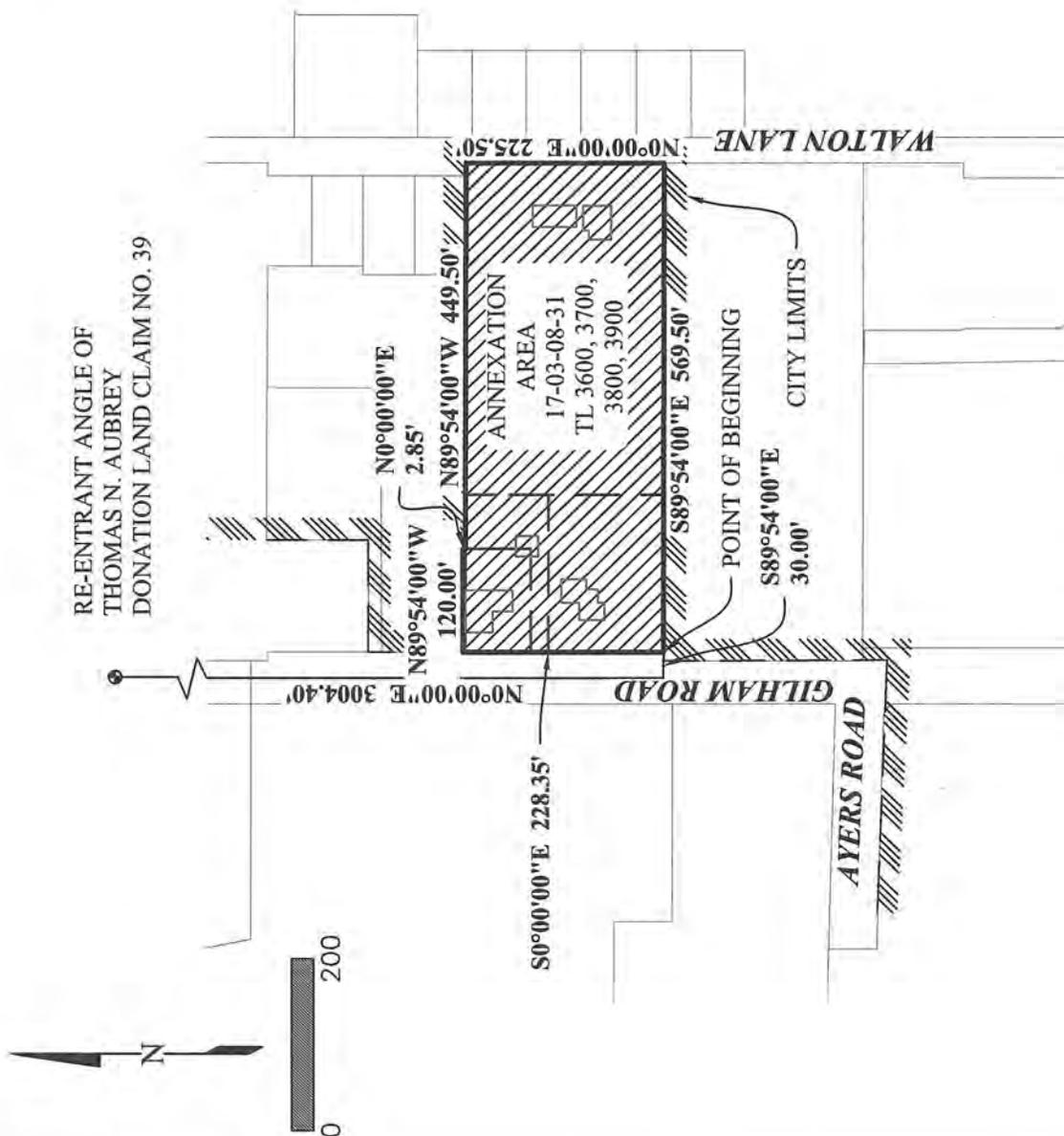
Section 1. Based on the above findings and the Planning Director's Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-03-08-31, Tax Lots 3600, 3700, 3800 and 3900 on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

ATTACHMENT B

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

The foregoing Resolution adopted the 25th day of July, 2016.

City Recorder



VICINITY MAP - NO SCALE

Received

JUN 07 2016

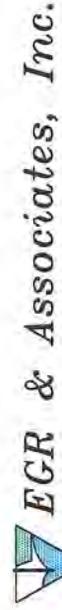
City of Eugene
 PURPOSES ONLY
 NOTE: THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. IT IS COMPOSED FROM RECORD INFORMATION AND DOES NOT REPRESENT A BOUNDARY SURVEY.

REGISTERED PROFESSIONAL LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
 JANUARY 14, 2003
 RYAN M. ERICKSON
 55524

EXPIRES: 12/31/17



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prallie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

FIGURE #1
KERSEY ANNEXATION
 EUGENE, LANE COUNTY, OREGON

Exhibit B

Kersey Annexation

City of Eugene Annexation Submittal

All of Map and Tax Lots: 17-03-08-31 TL 3600, 3700, 3800, 3900

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; thence South 0°00'00" East 3004.40 feet along the West line of the Thomas N. Aubrey Donation Land Claim No. 39, to a point; thence South 89°54'00" East 30.0 feet across a 30.0 foot right-of-way to the **True Point of Beginning**; thence continuing South 89°54'00" East 569.50 feet; thence North 0°00'00" East 225.50 feet; thence North 89°54'00" West 449.50 feet; thence North 0°00'00" East 2.85 feet; thence North 89°54'00" West 120.0 feet to the Easterly margin of a 30.0 foot right-of-way; thence along said Easterly right-of-way South 0°00'00" East 228.35 feet to the Point of Beginning, all in Lane County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524LS

EXPIRES: 12/31/2017



Exhibit C

Planning Director's Findings and Recommendation Annexation Request for Kersey (City File A 16-3)

Application Submitted: May 4, 2016
Applicant: Daniel and Chris Kersey
Property Location: Between Gilham Road and Walton Lane, north of Ayers Road (3445 and 3463 Gilham Road)
Property Included in Annexation Request: Tax Lots 3600, 3700, 3800 and 3900 of Assessor's Map 17-03-08-31
Zoning: AG/UL with Agriculture and Urbanizable Lands Overlay
Representative: Ryan Erickson, EGR & Associates, 2535 B Prairie View Rd., Eugene OR 97402; 541-688-8322
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

EVALULATION:

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.							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Complies</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> </tr> </table>	Complies		<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES	NO	Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). As shown in the application materials and confirmed by City staff, the City limits are contiguous with the subject area of land along the northern, southern, eastern, and western boundaries.
Complies							
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
YES	NO						
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Complies</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> </tr> </table>	Complies		<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES	NO	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 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> <ol style="list-style-type: none"> <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> <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</i>
Complies							
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
YES	NO						

		<p style="text-align: center;"><i>urban. (page II-C-5)</i></p> <p>As addressed below under subsection (3), and consistent with these policies, a minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for Low Density Residential use. The current zoning of AG is intended to allow agricultural uses within the UGB until land is converted to urban use. Agricultural uses are considered interim uses until public facilities and services can be provided. In order for this property to further develop as residential property in the future, a zone change to R-1 Low Density Residential will be necessary.</p> <p>The <u>Willakenzie Area Plan</u> (WAP) is the adopted refinement plan for the subject property. The subject property is located within the Unincorporated Subarea of the WAP. None of the general "Residential Land Use Policies" appear to be directly applicable to the subject request. The "Public Facilities and Services Element" policies of the WAP 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.</p> <p>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the <u>Metro Plan</u> 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 <u>Metro Plan</u>.</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.
<p style="text-align: center;">Complies</p> <p style="text-align: center;"><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>		<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> Public wastewater is available within Gilham Road. The existing structures do not appear to be connected to the piped public system, as there are no sewer connection records available for these properties. There are no liens or assessments of record due.</p> <p><u>Stormwater</u> Public stormwater systems are not available to serve this property. The soil classification is Type B, which typically indicates that good infiltration rates can be expected. Future development proposals must demonstrate consistency with flood control standards; on-site retention is a feasible option for this site. Compliance with applicable stormwater development standards will be ensured at the time of development.</p> <p><u>Transportation</u> The property abuts Gilham Road, a Lane County Road, and Walton Lane, a City of Eugene Street. Eugene Public Works defers to Lane County Transportation Planning referral comments with regards to Gilham Road. Compliance with applicable street standards will be ensured at the time of development.</p>

	<p><u>Lane County Public Works</u> Gilham Road is a Lane County road functionally classified as an urban Local Road having a minimum right-of-way width of 60 feet for development setback purposes, per LC 15.070(1)(c)(i)(ff)).</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 and Electric staff state no objection to the proposed annexation. Water and electric services can be extended 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> A minimum level of park services can be provided to the proposal area as prescribed in the <u>Metro Plan</u>.</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 other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within the Eugene School District boundary and Gilham Elementary School, Cal Young Middle School, and Sheldon High School.</p>
--	--

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.

INFORMATION:

- Upon approval of the annexation, the base zoning of AG Agricultural will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. City review is required before development can occur on this lot. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.

- In accordance with Lane Code 15.205(1), a Facility Permit shall be required for placement of facilities within the right-of-way of County roads. Facilities and development includes, but is not limited to, road improvements, sidewalks, new or reconstructed driveway or road approach intersections, utility placements, excavation, clearing, grading, culvert placement or replacement, storm water facilities, or any other facility, thing, or appurtenance. A Facility Permit is required if an existing approach to a County road is used, in order to verify that the portion of the approach that is within the County right-of-way meets current County standards [LC 15.205(3)]. Please contact 541-682-6902 or visit this link for information regarding facility permits:

<http://www.lanecounty.org/Departments/PW/Engr/RightofWay/Pages/rowpermits.aspx>

- For informational purposes, Lane County staff notes that because Gilham Road is a County road, future development of property connecting to Gilham Road is subject to the applicable requirements of Lane Code Chapter 15, including, but not limited to, the following:

LC 15.135 – General Access Requirements

(5) When an existing County Road is used to provide access to a vacant lot or parcel where development is proposed:

- (a) the approach for the driveway or private access easement serving the property shall meet the access management requirements and spacing and sizing requirements of LC 15.137 through LC 15.139; and
 - (b) the County may require dedications of right-of-way or easements and improvements pursuant to LC 15.105; and
 - (c) all work within the County Road right-of-way shall comply with the facility permit requirements of LC 15.205 through LC 15.210.
- In accordance with Lane Manual 15.515, storm water runoff from private property shall 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 roadway storm water runoff.
 - For information regarding EWEB requirements at the time of development, please contact Bill Johnson, EWEB Water, at 541-685-7377; Jon Thomas, EWEB Electric, at 541-685-7472; and Lori Price EWEB Right-of-Way, at 541-685-7366.
 - Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.

Written statement
Annexation
March 14, 2016

This application proposes an annexation for Tax Map 17-03-08-31, Tax Lots 3600, 3700, 3800, and 3900. All properties are located inside the Metro Plan boundaries and are zoned AG Agricultural, with a /UL Urbanizable Land Overlay Zone. The subject sites are currently adjacent to City of Eugene incorporated land (Tax Map 17-03-08-31 Tax Lots 3500, and 4000) and (Tax Map 17-03-08-34, Tax Lots 1100). The purpose of the annexation is to allow new home construction on each individual 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.

All properties to be annexed are within the urban growth boundary and contiguous to the city limits.

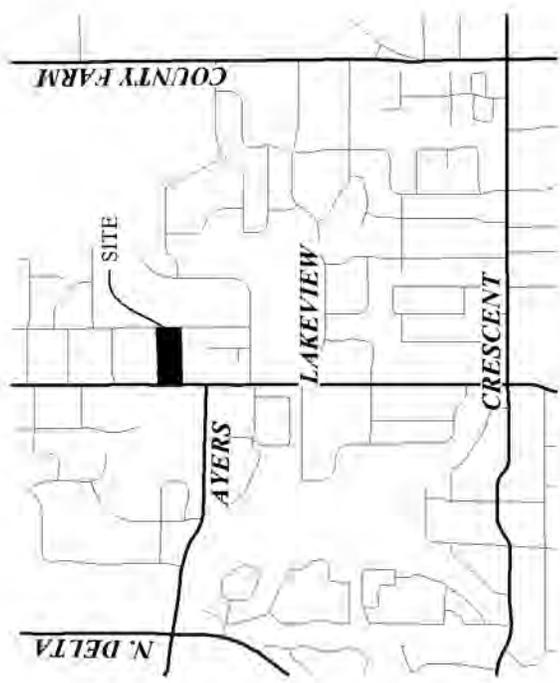
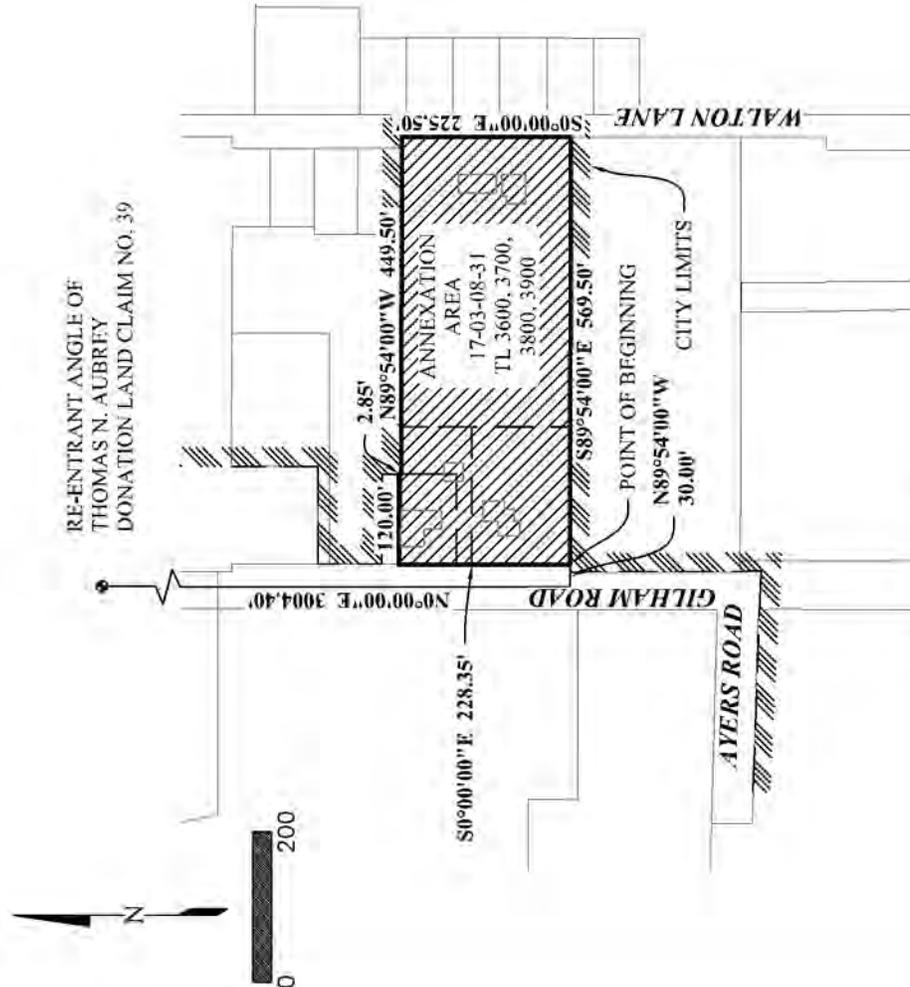
(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The properties are within the Metro Plan and require key urban facilities and services to be available.

- Electrical service is provided by EWEB. Overhead wires are available for connection along the east side of Gilham Road.
- Water service is provided by EWEB. Water mains are accessible from multiple locations.
- The City of Eugene currently has 8" wastewater mains located along Gilliam Road and Walton Lane.
- Willakenzie/Eugene RFPD services are currently provided to the subject properties; however upon annexation, these properties will be automatically withdrawn, and fire protection will be provided by the City of Eugene Fire & EMS Department.
- The city stormwater system consists of an 15" main and curb inlets in Walton Lane, and roadside ditches along Gilham Road

(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 mentioned, public services are in place and readily available to the parcels proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.



VICINITY MAP - NO SCALE

NOTE:
THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY.
IT IS COMPOSED FROM RECORD INFORMATION
AND DOES NOT REPRESENT A BOUNDARY SURVEY.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITAL SIGNATURE

OREGON
JANUARY 14, 2003
RYAN M. ERICKSON
55524

EXPIRES: 12/31/17

FIGURE #1
KERSEY ANNEXATION
EUGENE, LANE COUNTY, OREGON

ECR & Associates, Inc.
Engineers, Geologists, and Surveyors
2535B Fraile Road
Eugene, Oregon 97402
(541) 888-9322
Fax: (541) 888-8087

S:\projects\15-32_Kersey\GIS\print\annexation\annexation.dwg LAYOUT=Annexation Map_Mar 26, 2016 - 10:37 am

MAY 02 2016

LANE COUNTY
ASSESSMENT & TAXATION

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

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)
		Daniel + Chris Kersey	3463 Gilham Rd	17-03-08-3103600	✓		0.21
		Daniel + Chris Kersey	NA - lot	17-03-08-3103700	✓		0.19
		Daniel + Chris Kersey	3455 Gilham Rd	17-03-08-3103800	✓		0.55
		Daniel + Chris Kersey	3445 Gilham Rd	17-03-08-3103900	✓		2.00

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, Christine Kersey (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X Christine Kersey (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. approximate

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 0 (%) of the total active registered voters that are registered in the proposed annexation.

Lane County Department of Assessment and Taxation
5-2-2016
Date Certified

Christine Kersey
Lane County Clerk or Deputy Signature
4/22/16
Date Certified

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

PETITION

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

Petition Signature Sheet
Annexation by Individuals

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)
<i>Lawrence Warner</i>	<i>4/14/16</i>	<i>Larry Warner</i>	<i>3463 Gilham</i>	<i>17-03-08-31 03600</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>.21</i>
<i>Keely Woolson</i>	<i>4/14/16</i>	<i>Keely Woolson</i>	<i>empty lot</i>	<i>17-03-08-31 03100</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>.19</i>
<i>Shane Miller</i>	<i>4/14/16</i>	<i>Shane Miller</i>	<i>3455 Gilham Rd</i>	<i>17-03-08-31 03800</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>.55</i>
<i>Christine Kersay</i>	<i>4/14/16</i>	<i>Christine Kersay</i>	<i>3445 Gilham Rd</i>	<i>17-03-08-31 03900</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<i>2.00</i>

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

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are _____ (qty). This petition reflects that _____ (qty) landowners (or legal representatives) listed on this petition represent a total of _____ (%) of the landowners and _____ (%) 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 7. I hereby certify that this petition includes 1 valid signatures representing 14 (%) of the total active registered voters that are registered in the proposed annexation.

Lane County Department of Assessment and Taxation

Date Certified _____

Cynthia Jensen
Lane County Clerk or Deputy Signature

4/22/16
Date Certified

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: Daniel and Chris Kersay

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

Map - 17-03-08-31 Tax lots 3600, 3700, 3800, 3900

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" in Gillham Rd and the Walton Ln

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?

yes

If yes,
location? 15" in Walton Ln and/or Sterling Woods 2nd Addition improvements
currently under review
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. Coburg Rd, Crescent Ave, Gilham

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

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

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:

Creekside Park, Gilham Park, Rivendge Golf Course
Cal Young Sports park, Striker Field

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?

Eugene Water and Electric Board

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

property *Eugene Water and 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.

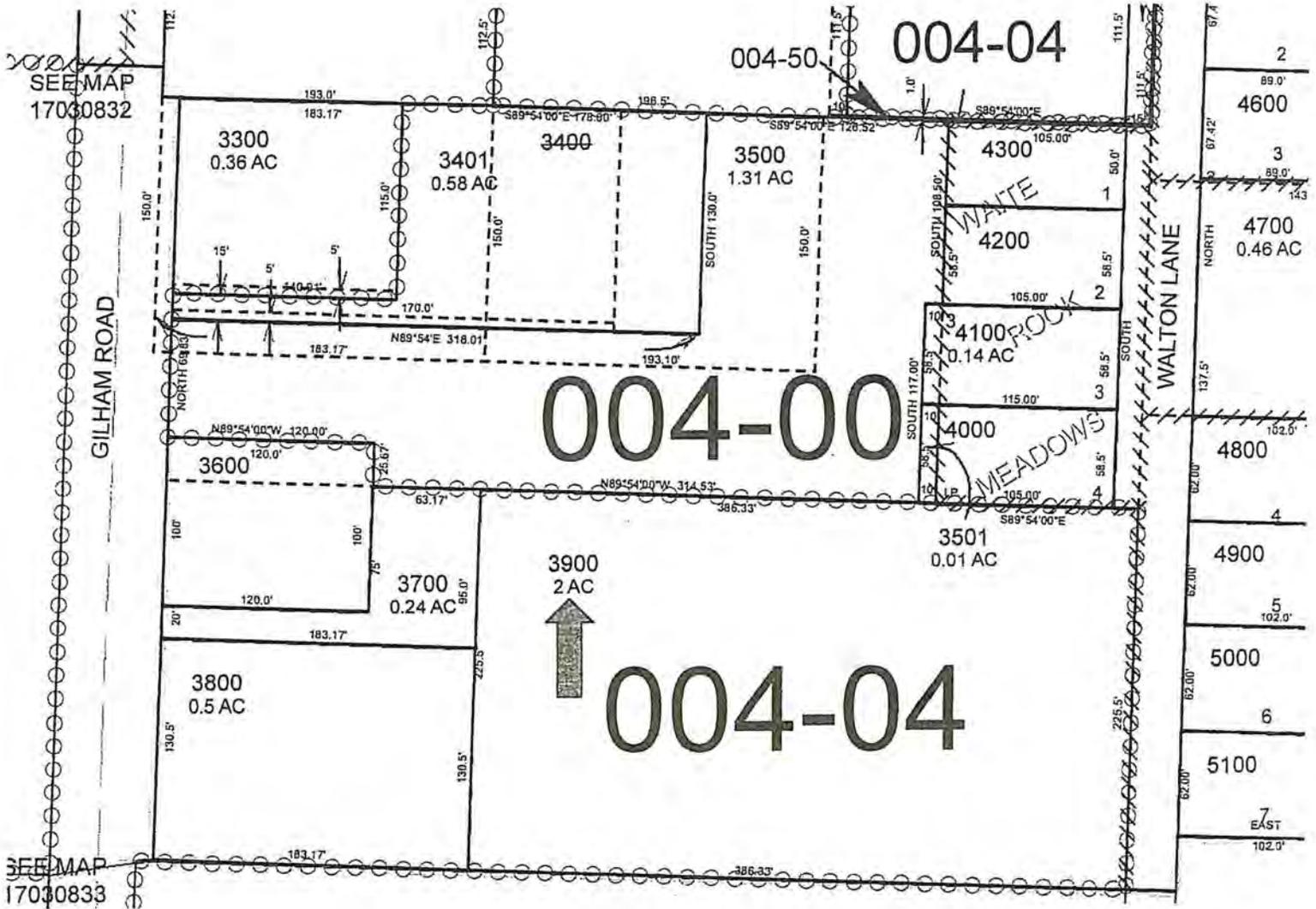
Attachment C

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.



Compliments of Western Title & Escrow Company. This map is not a survey and we assume no liability for inaccuracies.





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
17-03-08-31	3600	AG/UL	0.21
17-03-08-31	3700	AG/UL	0.19
17-03-08-31	3800	AG/UL	0.55
17-03-08-31	3900	AG/UL	2.00

Property Address: 3445 Gilham Rd - 3900 - 3456 Gilham Rd - 3800 - 3463 Gilham Rd 3600

Plans for Future Development & Permit Number (if applicable): n/a

Public Service Districts:

Name			
Parks:	City of Eugene		
Electric:	Eugene Water + electric board		
Water:	Eugene Water + electric board		
Sanitary Sewer:	City of Eugene		
Fire:	Willakenzie/Eugene RFPD		
Schools:	Elementary: Gilham	Middle: Cal Young	High: Sheldon
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 14" 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.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- 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: 3600, 3700, 3800, 3900

Name (print): Daniel & Chris Kersey

Address: PO BOX 70262 Email: dankersey5@gmail.com

City/State/Zip: SPAD OR 97475 Phone: 541-683-4222 Fax:

Signature: [Handwritten Signature] Date: 03-14-16

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): Ryan Erickson, PLS

Company/Organization: EGR & Associates Inc

Address: 2535 B Prairie Rd

City/State/Zip: Eugene OR 97402 Phone: 541-686-8087 Fax: 541-686-8087

E-mail: rerickson@egrassoc.com

Signature: [Handwritten Signature] Date: 3/29/2016

REPRESENTATIVE (If different from Surveyor):

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

Signature:

Date:

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

Attachment C

=====

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:3-0003386 May 04 2016
CASHIER: RRC

=====

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

TOTAL DUE: \$5,155.70

RECEIVED FROM:
CHRISTINE KERSEY

Check: \$5,155.70

Total tendered: \$5,155.70

Change due: \$0.00

=====

www.eugene-or.gov/bldgpermittracking

=====

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

=====

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of Resolution 5165 Annexing Land to the City of Eugene (Forzano; A 16-4)

Meeting Date: July 25, 2016
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2D
Staff Contact: Nicholas R. Gioello
Contact Telephone Number: 541/682-5453

ISSUE STATEMENT

This item is a request to annex approximately 1.9 acres (12,630 square feet) of vacant land located on Hansen Lane, west of River Road. The proposal includes the annexation of a portion of Hansen Lane from River Road west approximately 259 feet to the subject property. The property is located within the Urban Growth Boundary (UGB), and will be contiguous to the City limits with the annexation of above described portion of Hansen Lane.

The property is zoned R-1/UL (Low Density Residential with Urbanizable Lands Overlay). The Metro Plan designates the subject property for Low Density Residential use. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan, which also designates the property for Low Density Residential use. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

In December 2007, the City Council adopted Ordinance No. 20400 establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, or denying an application for annexation; or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the City's Urban Growth Boundary (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. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements. Staff has received no correspondence regarding the proposal. As the city council is aware, annexation applications are the first step in preparing property for development. The question before the council at this stage is whether the subject property should be included in the city limits. Future development will

require a subsequent land use application, such as a subdivision. That land use application will also require public notice and opportunity for public comment. Issues such as traffic, density and other potential impacts will be fully evaluated at that time. Based on this information, staff does not believe a public hearing is warranted.

Referral comments were provided by affected agencies including City of Eugene Public Works and EWEB. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria.

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 River Road - Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject property. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B). In short, the proposal appears to meet all of the City's relevant policies concerning this annexation request.

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 draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt Resolution No. 5165, which approves the proposed annexation request consistent with the applicable approval criteria.

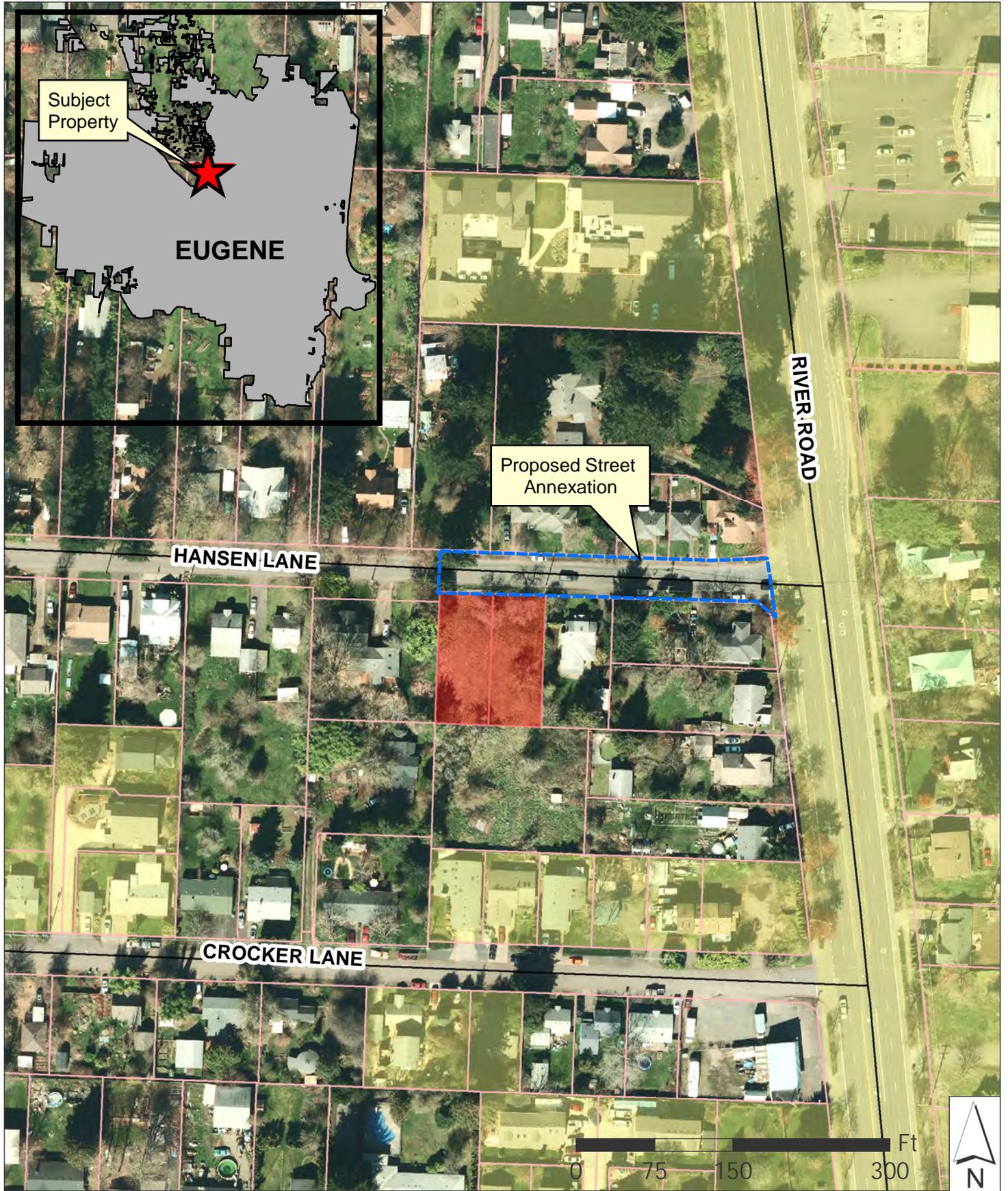
ATTACHMENTS

- 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
- D. City Council Resolution No. 4903

FOR MORE INFORMATION

Staff Contact: Nicholas R. Gioello
Telephone: 541/682-5453
Staff E-Mail: Nick.r.gioello@ci.eugene.or.us

Forzano (A 16-4)



Legend

- Subject Property
- City Limits
- Taxlots

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

July 2016



RESOLUTION NO. _____

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-25-21, TAX LOTS
3700 AND 3701).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Schirmer Satre Group on behalf of Joseph and Paula Forzano, and Georg Birns on May 6, 2016, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-25-21, Tax Lots 3700 and 3701, and the portion of Hansen Lane right-of-way abutting the property to River Road.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described 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 June 24, 2016, 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 applicants, owners and occupants of property within 500 feet 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 July 25, 2016.

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 17-04-25-21, Tax Lots 3700 and 3701, and the portion of Hansen Lane right-of-way abutting the property to River Road, depicted on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

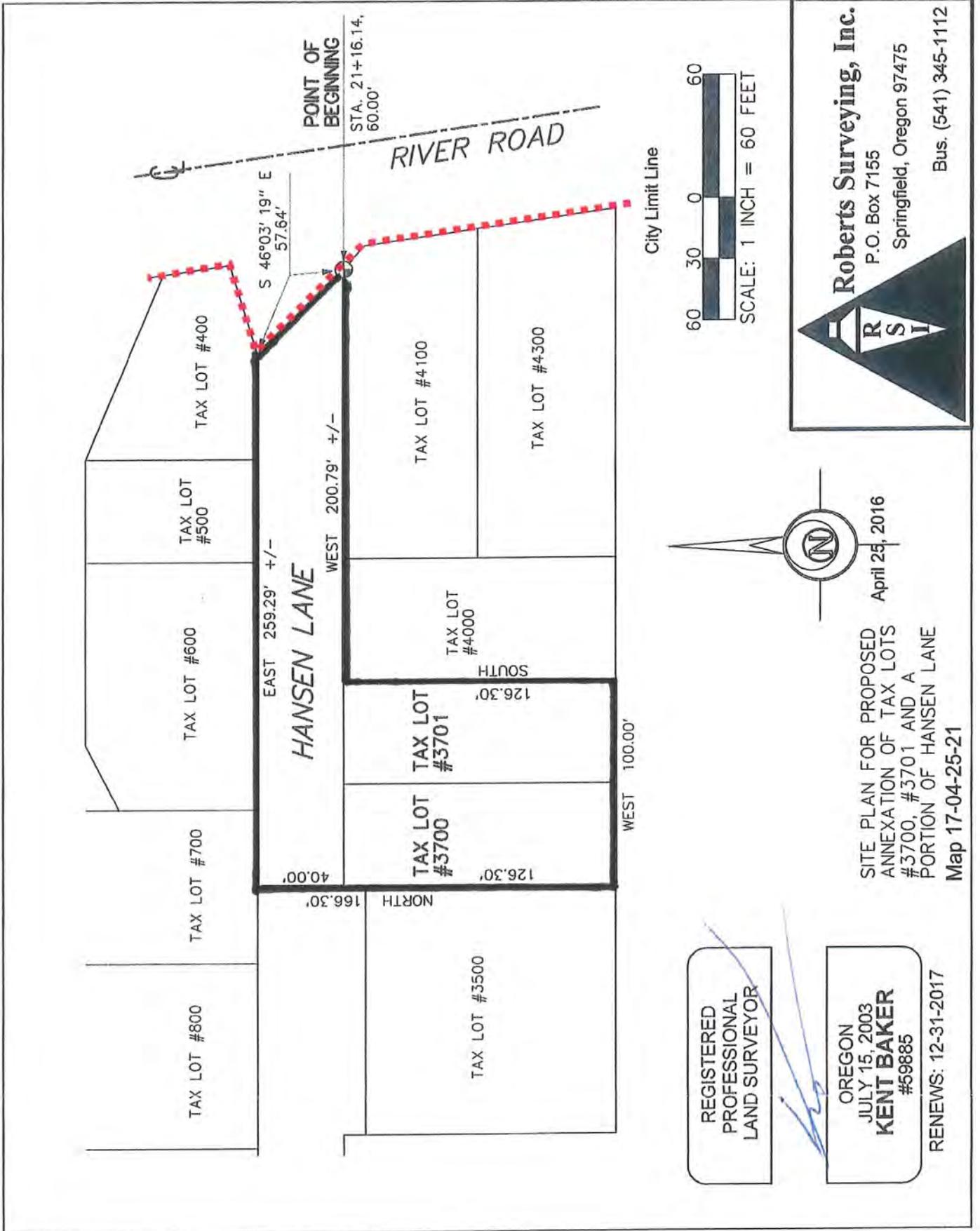
ATTACHMENT B

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/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the 25th day of July, 2016.

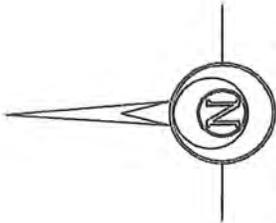
City Recorder

Exhibit A

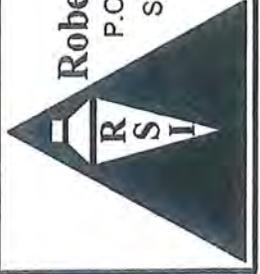


REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885
RENEWS: 12-31-2017



SITE PLAN FOR PROPOSED
ANNEXATION OF TAX LOTS
#3700, #3701 AND A
PORTION OF HANSEN LANE
Map 17-04-25-21
April 25, 2016



Roberts Surveying, Inc.
P.O. Box 7155
Springfield, Oregon 97475
Bus. (541) 345-1112

**Legal Description of Affected Territory to be Annexed
(Tax Lot #3700, #3701 and a portion of Hansen Lane)**

A unit of land being situated in the northwest 1/4 Section 25, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of River Road, said point being perpendicular to and 60.00 feet opposite centerline station 21+16.14, said point also being located on the south right-of-way line of Hansen Lane;

Thence along the south right-of-way line of Hansen Lane, West 200.79 feet +/- to the northeast corner of Tax Lot #3701;

Thence leaving the south right-of-way line of Hansen Lane, South 126.30 feet to the southeast corner of Tax Lot #3701;

Thence West 50.00 feet to the southwest corner of Tax Lot #3701;

Thence continuing West 50.00 feet to the southwest corner of Tax Lot #3700;

Thence North 126.30 feet to the northwest corner of Tax Lot #3700, said northwest corner also being located on the south right-of-way line of Hansen Lane;

Thence continuing North 40.00 feet to the north right-of-way line of Hansen Lane;

Thence along the north right-of-way line of Hansen Lane, East 259.29 feet +/- to a point on the westerly right-of-way line of River Road, said point being perpendicular to and 95.00 feet opposite centerline station 21+61.75;

Thence South 46°03'19" East 57.64 feet to the point of beginning, all in Lane County, Oregon and containing 23,832 square feet (.55 acres) of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017



Exhibit C

**Planning Director's Findings and Recommendation
Annexation Request for Forzano
(City File A 16-4)**

Application Submitted: May 6, 2016
Applicant: Joseph Forzano, Paula Forzano and Georg Birns
Location: Hansen Lane, west of River Road
Property Included in Annexation Request: Tax Lots 3700 and 3701 of Assessor's Map 17-04-25-21 and a portion of Hansen Lane
Zoning: R-1/UL with Low-Density Residential and Urbanizable Lands Overlay
Representative: Richard Satre, Schirmer Satre Group, 375 West 4 th Ave, Ste 201, Eugene OR 97401; 541-686-4540
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, consistent with subsection (a). As shown in the application materials and confirmed by City staff, the City limits are contiguous with the subject area of land and the inclusion of Hansen Lane public right of way from the subject area of land to River Road.
<input checked="" type="checkbox"/> YES <input type="checkbox"/> 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>
<input checked="" type="checkbox"/> YES <input type="checkbox"/> 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>As addressed below under subsection (3), and consistent with these policies, a minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for Low Density Residential use. The River Road – Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject property. The subject property is not located within an identified subarea of the RR/SC UFP. None of the general "Residential Land Use Policies" 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 the properties within the UGB will be annexed.</p> <p>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the <u>Metro Plan</u> 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 <u>Metro Plan</u>.</p>
<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.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>	<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> Public wastewater is available within Hansen Lane. The subject properties are currently vacant; as-built records (microfile no. 3066.020), show an existing wastewater service is stubbed to the property. The lien docket indicates there are related On-hold assessments that will become payable at the time of development.</p> <p><u>Stormwater</u> Public stormwater systems are not immediately available to serve this property. The nearest public system is near the intersection of Hansen Lane and River Road, approximately 200 feet east of the subject properties. The applicant acknowledges that extension of the public system may be necessary to serve development; this would be at the expense of the applicant/developer. Development proposals must demonstrate consistency with flood control standards. On-site retention may be an acceptable option if on-site infiltration rates and design calculations are provided to demonstrate feasibility.</p> <p><u>Transportation</u> The property abuts Hansen Lane, a Lane County Road. City of Eugene Public Works defers to Lane County referral comments. Compliance with applicable street standards will be ensured at the time of development.</p>

	<p><u>Lane County Public Works</u> Hansen Lane is a Lane County road functionally classified as an urban Local Road. For urban Local Roads, the minimum right-of-way width for development setback purposes is 60 feet, except that the right-of-way width may be reduced to a minimum of 45 feet for development setback purposes upon written approval of the County Engineer or designee 15.070(1)(c)(i)(ff).</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 and Electric staff state no objection to the proposed annexation. Water and electric services can be extended 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> A minimum level of park service can be provided to the proposal area as prescribed in the <u>Metro Plan</u>.</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 other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within the Eugene School District boundary and River Road Elementary School, Kelly Middle School, and North Eugene High School.</p>
--	---

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.

INFORMATION:

- Upon approval of the annexation, the base zoning of R-1 Low Density Residential will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. City review is required before development can occur on this lot. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.

- In accordance with Lane Code 15.205(1), a Facility Permit shall be required for placement of facilities within the right-of-way of County roads. Facilities and development includes, but is not limited to, road improvements, sidewalks, new or reconstructed driveway or road approach intersections, utility placements, excavation, clearing, grading, culvert placement or replacement, storm water facilities, or any other facility, thing, or appurtenance. A Facility Permit may be required for any future connection to Hansen Lane. Please contact 541-682-6902 or visit this link for information regarding facility permits: <http://www.lanecounty.org/Departments/PW/Engr/RightofWay/Pages/rowpermits.aspx>
- In accordance with Lane Manual 15.515, storm water runoff from private property shall 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 roadway storm water runoff.
- For information regarding EWEB requirements at the time of development, please contact Bill Johnson, EWEB Water, at 541-685-7377; Jon Thomas, EWEB Electric, at 541-685-7472; and Lori Price EWEB Right-of-Way, at 541-685-7366
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.



SCHIRMER SATRE GROUP
Planners, Landscape Architects and Environmental Specialists

375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
 (541) 686-4540 • Fax (541) 686-4577 • www.schirmersatre.com

TRANSMITTAL

TO: City of Eugene **DATE:** May 6, 2016
Permit and Information Center **PROJECT:** Forzano Property – Hansen Lane
99 West 10th Avenue Annexation
Eugene, OR 97401 **CLIENT PROJ #:** _____
ATTN: _____ **SSG PROJ #:** 1626

TRANSMITTED:	Herewith	<input checked="" type="checkbox"/>	DISPOSITION:	For Your Approval	<input type="checkbox"/>
	Separate Cover	<input type="checkbox"/>		For Your Information/Use	<input checked="" type="checkbox"/>
	Other	<input type="checkbox"/>		For Reply	<input type="checkbox"/>

TRANSMITTED:

# Copies	Item	Dated	No. Pages
		(In addition to this cover page)	
<u>3 paper copies and one digital copy of an:</u>			
	<u>Annexation Application Packet</u>	<u>Various Dates</u>	<u>Several</u>

REMARKS: This Annexation Application packet is hereby submitted on behalf of Joseph and Paula Forzano regarding their request to annex their property on Hansen Lane into the city limits of Eugene. The submittal package includes:

1. Application Fee.
2. Application Form.
3. Written Statement.
4. Site Plan.
5. Email from Eugene staff.
6. Attachment 1 – Petition.
7. Attachment 2 – Consent.
8. Attachment 3 – Legal Description, Map and Surveyor Certification.
9. Attachment 4 – Summary of Urban Service Provision.
10. Attachment 5 – Census.
11. Attachment 6 – Cadastral Map – Reduced.
12. Attachment 6 – Cadastral Map – Full Size.

We look forward to your assistance with the project. Don't hesitate to contact us should you have any questions or need any additional information. Thank you.

COPIES TO:		Agency	<input type="checkbox"/>	BY:	
File	<input checked="" type="checkbox"/>	Consultant Team	<input type="checkbox"/>		
Owner	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>		<u>Richard M. Satre, AICP, ASLA, CSI</u>

- CANCELLED
- 7000
- 7001
- 4801
- 7108
- 200
- 1500
- 1700
- 2400
- 2800
- 2801
- 4200
- 4600
- 5400
- 5600
- 7001
- 7100
- 2600

LC#7348 - 2015-12-31 07:52

N.E. 1/4 N.W. 1/4 SEC. 25 T. 17S. R. 4W. W.M.
Lane County
1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY



NO. 000000
DRAWING - LAMAC COUNTY MAP NO. 2015-12-31 07:52
DATE 2015-12-31 07:52
DRAWING - LAMAC COUNTY MAP NO. 2015-12-31 07:52
DATE 2015-12-31 07:52

SEE MAP
17042434

SEE MAP
17042440

SEE MAP
17042512

SEE MAP
17042433

SEE MAP
17042522

SEE MAP
17042524

SEE MAP
17042614

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
17-04-25-21	3700	R-1/UL	0.14
17-04-25-21	3701	R-1/UL	0.14

Property Address: Not Addressed

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

Public Service Districts:

Name		
Parks:	River Road Park and Recreation District	
Electric:	EWEB	
Water:	River Road Water District	
Sanitary Sewer:	River Road Water District	
Fire:	River Road Water District	
Schools:	Elementary: River Road	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 14" 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. **No easements**
- Show the location of all existing structures. **No 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.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- 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: 3700 & 3701

Name (print): Forzano, Joseph and Paula

Address: 136 St. Charles Avenue

Email: jcaf55@gmail.com

City/State/Zip: Stamford, CT 06907

Phone: 203-249-1850 Fax:

Signature: Joseph Forzano

Date: 4/29/2016

PROPERTY OWNER OF TAX LOT: 3700 & 3701

Name (print): Forzano, Joseph and Paula

Address: 136 St. Charles Avenue

Email: jcaf55@gmail.com

City/State/Zip: Stamford CT 06907

Phone: 203-249-1850 Fax:

Signature: Paula A. Forzano

Date: 4/29/16

PROPERTY OWNER OF TAX LOT: 3700 & 3701

Name (print): George Dicus

Address: 65 Crocker Ln

Email: GR00PUS@YAHOO.COM

City/State/Zip: Eugene OR 97404

Phone: 541-513-7667 Fax:

Signature: George Dicus

Date: 5/6/16

SURVEYOR:

Name (print): Kent Baker

Company/Organization: Roberts Surveying, Inc.

Address: P.O. Box 7155

City/State/Zip: Springfield, OR 97401

Phone: 541-345-1112 Fax: 541-345-3464 n/a

E-mail: kent@robertssurvey.com

kent@robertssurvey.com

Signature: [Signature]

Date: 4/29/16

REPRESENTATIVE (If different from Surveyor):

Name (print): Rick Satre, AICP, ASLA, CSI

Company/Organization: Schirmer Satre Group

Address: 375 W. 4th Avenue. Suite 201

City/State/Zip: Eugene, OR 97401

Phone: 541-686-4540 Fax: 541-686-4577

E-mail: rick@schirmersatre.com

Signature:



Date:

4/29/16

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

As for public transit, there is an under-construction EmX bus rapid transit line located a little over a mile from the property (the nearest connecting point being the intersection of Chambers Street and 6th Avenue). In addition, there is a potential enhanced or bus rapid transit line that would serve River Road in the planning and analysis stage. This area is also well served by bicycle facilities, including the Willamette River multi-use path system (0.5 miles from the site), as well as bike lanes along River Road and Chambers Street.

Retail and employment centers, dining establishments, and more are located along the River Road corridor.

The site is relatively open, containing a few trees on the northern end of the property. The western boundary of lot 3700 and the eastern boundary of lot 3701 are bordered by a number of shrubs. There is no evidence or record of wetlands on the site.

The soil is entirely Malabon-Urban Land Complex and is not considered to be hydric. Depth to groundwater has not been mapped. This area is outside of the 500-year flood hazard zone. The site is not currently served by stormwater facilities, although there is an existing line along River Road that can be extended prior to or during development of the subject property on Hansen Lane.



Excerpt
 Tax Map 17-04-25-21
 Subject Property

II. Annexation – Approval Criteria

Annexation Approval Criteria are found in Section 9.7825 of the Eugene Code. Applicable sections of the Code are in *italics*, followed by proposed findings of facts in normal text.

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.*

Response: Should the annexation of the subject portion of Hansen Lane be approved, the Forzano property would be contiguous to the City of Eugene city limits on its northern boundary. Therefore, this criterion is met.

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

METRO PLAN: Applicable Metro Plan policies and findings in support of this annexation request are as follows:

Growth Management

- *Policy 8a. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: A minimum of key urban facilities and services can be provided to the area in an orderly and efficient manner.*

Response: Minimum key urban facilities and services as defined in the Metro Plan includes wastewater, stormwater, transportation, solid waste management, water service, fire and emergency medical service, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities and public schools on a district-wide basis (Metro Plan, Chapter V, Glossary, definition 24). As documented elsewhere in this Written Statement, these key urban facilities and services are already provided, or can be provided, to the subject site. Those facilities and services not currently present can be provided to the subject site in an orderly and efficient manner.

- *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority.*

Response: Annexation into the corporate limits of the City of Eugene is codified in the Eugene Code (EC) 9.7800-9.7835. Processes and procedures regarding application, annexation, approval criteria, effective date and notice, and withdrawal from special districts are, by submittal and processing of this Annexation Application, being followed.

- *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.*

Response: The subject site is inside the Eugene jurisdiction of the metro area's Urban Growth Boundary. By this Annexation Application herein land within the UGB (the subject site) is being annexed and, as required by applicable approval criteria, will be provided with the minimum level of urban facilities and services.

- *Policy 17. As annexations to cities occur over time, existing special service districts within the UGB shall dissolve. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with the affected special service districts.*

Response: The River Road Water District provides services to the subject property. The City of Eugene has intergovernmental agreements with this entity. As codified in Eugene Code (EC) 9.7835, Annexation – Withdrawal from Public Service Districts Following Annexation, the Eugene City Council utilizes a set process to facilitate withdrawals from special districts.

- *Policy 20a. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method: Annexation to a city.*

Response: Future development of the subject property will require the provision of stormwater and water services. Annexation is the preferred method to enable urban service provision. Approval of this Annexation Application herein will satisfy this Metro Plan policy.

APPLICABLE REFINEMENT PLAN: The River Road-Santa Clara Public Facilities Plan is applicable to the subject site.

Chapter 1 – Sanitary Sewer Service Element

1.1 EXISTING POLICIES AND SITUATION

Policy 3 - The Metropolitan Plan specifies that cities are the sole providers of sewers in the metro area. The plan states that Eugene, through annexation, or a new city, will provide sewers to the River Road Santa Clara area.

Response: Eugene remains the responsible party for sanitary sewer service provision. Approval of this annexation application will enable this policy to be followed.

Chapter 2 – Lane Use Element

2.1 GENERAL LAND USE

Policy 1.0 - Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial industrial, and commercial agricultural uses.

Policy 2.0 - Adopt zoning that is consistent with the land use diagram and policies contained in the land use element of the Urban Facilities Plan.

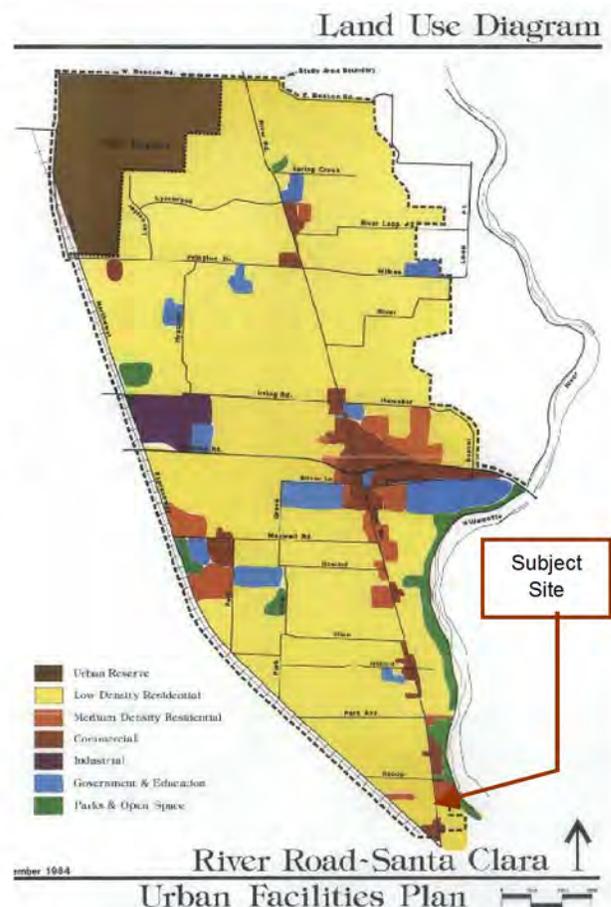
Policy 3.0 - Provide for land uses that conform to Metropolitan Plan goals and policies and that consider the provision of a full range of urban services in an efficient and cost-effective manner.

Response: Annexation into the corporate limits of Eugene will ensure land use is in conformance with adopted plans and the use of development standards found in the Eugene Code. Annexation will allow for the full provision of key urban facilities and services.

2.2 RESIDENTIAL LAND USE

Policy 1.0 – Recognize and maintain the predominately low-density residential character of the area consistent with the Metropolitan Plan.

Response: The subject property is zoned Low Density Residential (R-1). This application only concerns annexation, and therefore, the zoning will remain the same. The current zoning matches the low density residential character supported by the River Road-Santa Clara Urban Facilities Plan.



2.5 RIVER ROAD SUBAREAS

Response: The subject property is not within any subareas of the River Road-Santa Clara Urban Facilities Plan.

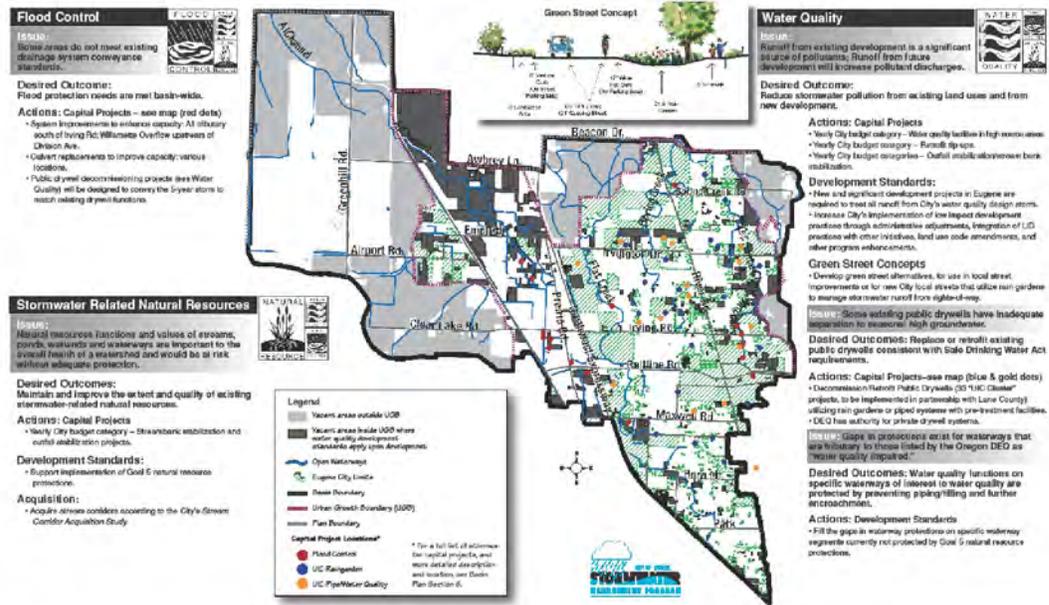
Chapter 3 – Public Facilities and Services Element

3.1 STORM SEWERS/DRAINAGE

Policy 3 - As annexation or incorporation occurs; a comprehensive drainage plan for the area shall be developed in cooperation with Lane County and other appropriate agencies.

- a. Identify and implement means of improving maintenance of existing drainage systems serving the area, recognizing that without maintenance the existing system will become inadequate.
- b. Identify those portions of the open storm drainageways which can be retained and those which should be eliminated and provide sufficient right-of-way or easements for their continued maintenance.

Response: The City of Eugene and Lane County have developed a comprehensive stormwater drainage plan. In the River Road-Santa Clara drainage basin, Water Quality Development Standards will apply. Site stormwater runoff will be required to be treated (vegetative treatment is preferred) before leaving the property.



3.2 FIRE

- Policy 1 - As annexation occurs, Eugene shall provide for a level of fire and emergency services comparable to that received in the remainder of the city.**
- Policy 3 - As annexations or incorporation occur in the area, maintain or enhance present response times and levels of service to non-annexed areas.**

Response: River Road Water District provides fire and ambulance service to the subject property (by and through a contract with the City of Eugene). Upon annexation, service will be provided directly by the City of Eugene. As the service provider is already the City, present response times will be maintained.

3.3 PUBLIC UTILITIES

Policy 1 - In accordance with the acknowledged Metropolitan Plan, special purpose water districts within the urban growth boundary ultimately shall be extinguished.

Policy 2 - EWEB shall continue to provide electrical service to its existing service area unless a newly-incorporated city, working through the Public Utility Commission, obtains service from another utility.

Response: EWEB is the current electric service provider for the subject site and River Road Water District provides water service. Upon annexation, this will continue.

3.8 POLICE PROTECTION

Policy 1 – As annexation occurs, Eugene shall provide for a level of police service comparable to that received in the remainder of the city.

Response: Annexation of the subject property will enable city police protection to serve the subject property. Efficiency and economy of service will benefit in that existing city police services are present in the adjacent area already inside the city limits.

3.9 PARK AND RECREATION SERVICE

The River Road Park and Recreation District and the City of Eugene have entered into intergovernmental agreements which specify the process of transition from district to city operation of the park and recreation service.

Policy 2 - If an annexation involving at least 25 percent of River Road, Santa Clara, and/or a park subarea's undeveloped land occurs, the City of Eugene shall begin amending its Parks Master Plan to include the area annexed.

Response: Annexation of the subject property will not materially affect existing intergovernmental agreements. The subject annexation, together with all annexations since the adoption of the River Road Santa-Clara Urban Facilities Plan, does not yet meet the 25 percent threshold.

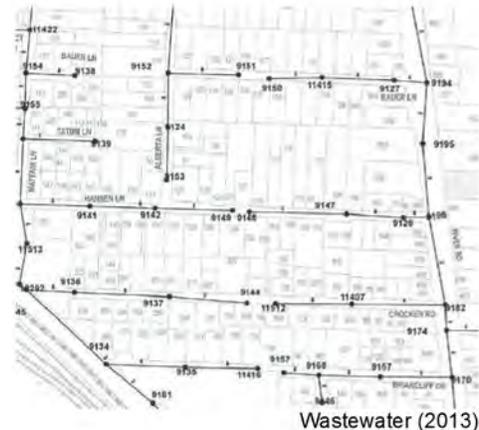
Given the above demonstrated compliance with the Metro Plan and applicable refinement plan, this criterion is met

- (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.*

Response: The minimum level of key urban facilities and services are available and have sufficient capacity to serve the site. The conditions applicable to the site are as follows:

Wastewater

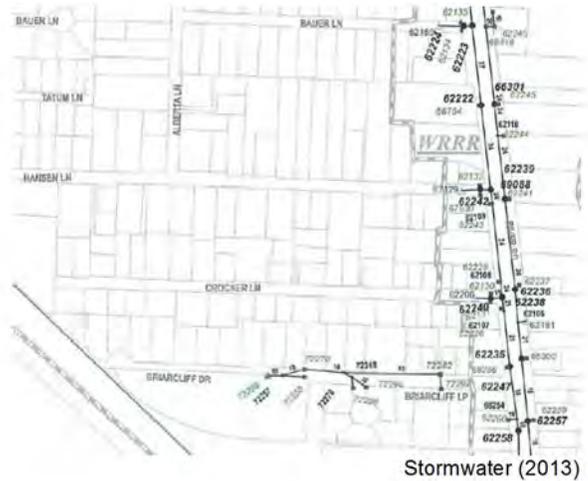
Public wastewater service is already available to the site via an existing 8" line in Hansen Lane. This will be of sufficient capacity to serve the property at its low-density residential (LDR) designation.



Forzano Property
 Map 17-04-25-21, Tax Lots 3700 and 3701; and a Portion of Hansen Lane
 Annexation Application – Written Statement
 April 22, 2016

Stormwater

There is an existing stormwater facility along River Road, which is within 0.2 miles of the subject property. Prior to or during development, the public line can be extended along Hansen Lane.



Stormwater (2013)

Transportation

Streets – The property is primarily accessible by Hansen Lane, a paved local street that is included in the annexation application. Hansen Lane intersects with River Road, a major arterial, a little over a thousand feet from the subject site. There is no development proposed with this annexation application.

Transit – There is currently bus service provided by Lane Transit District (LTD) along River Road and a stop is located only 150 yards from the subject site. The stop is served by the 51, 52, and 55 bus. There is also a planned EmX bus rapid transit route located a little over a mile from the property on 6th and 7th Avenues. There is a potential enhanced or EmX bus rapid transit route that would serve River Road in the planning and analysis stage.

Bike – There are a number of bicycle facilities located near the property. Including access to the Willamette River multi-use path, there are also bike lanes along River Road and Chambers Street.



Excerpt
 Street Classification Map



Excerpt
 Street ROW Map



Excerpt
 LTD Service Map

Solid Waste Management

Solid waste collection is operated by private firms, whose franchise territory granted by the City of Eugene includes the site. Regional disposal sites are operated by Lane County.

Water and Electric Service

This property will be served by Eugene Water and Electric Board (EWEB), who will provide electric service to the site. Water service will be provided by River Road Water District.

The water main closest to the property is on Hansen Lane. There is a six inch cast iron pipe that runs along Hansen Lane.

There is sufficient capacity to serve the property at its planned low-density residential (LDR) capacities.

Fire and Emergency Medical Services

River Road Water District provides fire service to the subject property (by and through a contract with the City of Eugene). Upon annexation, service will be provided directly by the City of Eugene.

Police Protection

Police protection is currently provide by Lane County. Upon annexation, the City of Eugene will provide police protection. With annexation, police protection will be consistent with service provision by Eugene Police Department throughout the city.

City-Wide Parks and Recreation

The site is in the boundaries of the River Road Park & Recreation District. Upon annexation, parks and recreation services will continue.

Land Use Controls

The subject property is inside the Eugene portion of the Metro Plan Urban Growth Boundary. The City of Eugene provides land use controls for the site.

Communication Facilities

CenturyLink and a variety of other telecommunications providers offer communication services throughout the Eugene/Springfield Area.

Public Schools on a District-Wide Basis

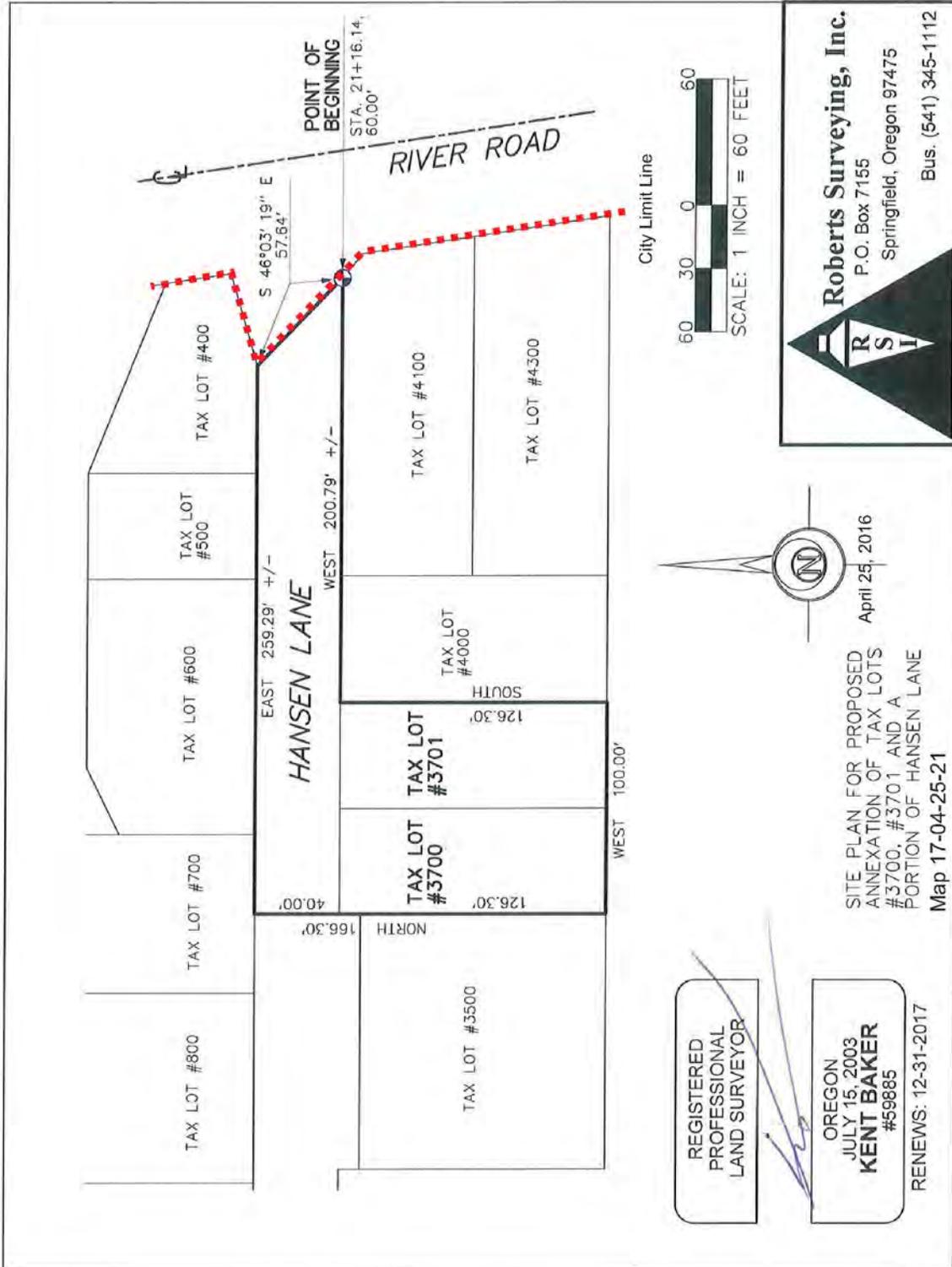
Eugene School District is the K-12 education service provider. River Road Elementary School is one mile north of the site and Kelly Middle School is two and a half miles northwest. North Eugene High School is approximately two miles north of the subject site.

Given the above regarding public and private facility availability, this criterion is met.

III. Conclusion

Based on the information contained in this written statement, the applicant believes that the requested annexation can be approved.

If there are any questions regarding the above information, please do not hesitate to contact Rick Satre, AICP, ASLA, CSI, at Schirmer Satre Group, 541-686-4540 or rick@schirmersatre.com.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017

SITE PLAN FOR PROPOSED
ANNEXATION OF TAX LOTS
#3700, #3701 AND A
PORTION OF HANSEN LANE
Map 17-04-25-21

April 25, 2016

Roberts Surveying, Inc.
P.O. Box 7155
Springfield, Oregon 97475
Bus. (541) 345-1112

Richard Satre

From: WHITMILL Kelly E <Kelly.E.Whitmill@ci.eugene.or.us>
Sent: Tuesday, April 19, 2016 11:24 AM
To: Richard Satre
Subject: RE: Annexation Question

Categories: Planning Project

Hi Rick –

I checked with Public Works staff and they support the annexation of Hansen Lane which allows the properties in question to be contiguous to city limits. The annexation of the street would need to be included in the application for the annexation of the properties. A surveyor will need to prepare a legal description of the land (EC 9.7810(7)). Please let me know if you need anything else.

Regards,

Kelly Whitmill
Planning & Land Use Technician

City of Eugene
Building Permit Services
79 West 10th Avenue
Eugene OR 97401
Phone 541.682.6017

From: Richard Satre [mailto:rick@schirmersatre.com]
Sent: Monday, April 18, 2016 1:08 PM
To: WHITMILL Kelly E <Kelly.E.Whitmill@ci.eugene.or.us>
Cc: Bree Nicoletto <bree@schirmersatre.com>
Subject: Annexation Question

Hello, Kelly. I hope all is well. I have an annexation question. I met with a very nice couple this morning regarding two tax lots they own on Hansen Lane in the River Road neighborhood of Eugene. They are interested in annexing the property into the city limits so that they may build a home and live there. These two particular tax lots (Map 17-04-25-21, Lots 03700 and 03701) are not contiguous to city limits. However, they provided me a copy (attached) of some correspondence they had with you which indicates that they could annex the portion of Hanson Lane from their two lots eastward to River Road, thus making their annexation request contiguous. I am aware that there are times that the city will add right-of-way area to a particular annexation request. Here, we would need to do that from the get-go. Can we do that? If so, how would we go about that?

Thanks for your help, Kelly.

Sincerely,
Richard M. Satre, AICP, ASLA, CSI
Schirmer Satre Group
Planners, Landscape Architects and Environmental Specialists
375 West 4th Avenue, Suite 201, Eugene, Oregon 97401
(541) 686-4540 * Fax (541) 686-4577 * www.schirmersatre.com

This message is intended solely for the individual or entity to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal law. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you received this message in error, immediately advise the sender by reply email and destroy this message. ♻️ Please consider the environment before printing this email.

PETITION

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

Petition Signature Sheet
Annexation by Individuals

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)
<i>Joseph Forzano</i>	4/29/16	Joseph Forzano	136 ST CHARLES AVE. STAMFORD, CT 06907	17-04-25-21-3700	X		0.14
<i>Paula A. Forzano</i>	4/29/16	Paula Forzano	136 ST CHARLES AVE. STAMFORD, CT 06907	17-04-25-21-3700	X		0.14
<i>Joseph Forzano</i>	4/29/16	Joseph Forzano	136 ST CHARLES AVE. STAMFORD, CT 06907	17-04-25-21-3701	X		0.14
<i>Paula A. Forzano</i>	4/29/16	Paula Forzano	136 ST CHARLES AVE. STAMFORD, CT 06907	17-04-25-21-3701	X		0.14

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, Eric You Salzen (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X *[Signature]* (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 3 (qty). This petition reflects that 2 (qty) landowners (or legal representatives) listed on this petition represent a total of 67 (%) 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 _____. I hereby certify that this petition includes _____ valid signatures representing _____ (%) of the total active registered voters that are registered in the proposed annexation.

[Signature]
Lane County Department of Assessment and Taxation
5-5-16

Date Certified

Lane County Clerk or Deputy Signature

Date Certified

- * 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

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.		5/3/16	Georg Birns		17-04-25-21-3700	X	✓	0.14
2.		5/3/16	Georg Birns		17-04-25-21-3701	X	✓	0.14
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, RICK SATRE  (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X _____ (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 3 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 33 (%) 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 10. I hereby certify that this petition includes 10 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.


 Lane County Department of Assessment and Taxation

5-5-16
 Date Certified

Cynthia Kinniah
 Lane County Clerk or Deputy Signature
5/6/16
 Date Certified

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: 17-04-25-21-3700 and 3701 Address: N/A

Legal Description:

See Attached Legal Description

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

DATED this 5 day of May, 2016.

Greg Bui

STATE OF OREGON)

County of Lane)ss
)

On this 5 day of May, 2016, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, George Birns, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:

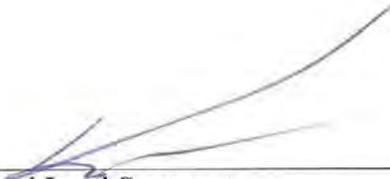


IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Lisa Marie Armstead
Notary Public for Oregon
My Commission Expires 5/15/2018

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

Date: April 25, 2016

Seal:

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017

Legal Description of Affected Territory to be Annexed
(Tax Lot #3700, #3701 and a portion of Hansen Lane)

A unit of land being situated in the northwest 1/4 Section 25, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of River Road, said point being perpendicular to and 60.00 feet opposite centerline station 21+16.14, said point also being located on the south right-of-way line of Hansen Lane;

Thence along the south right-of-way line of Hansen Lane, West 200.79 feet +/- to the northeast corner of Tax Lot #3701;

Thence leaving the south right-of-way line of Hansen Lane, South 126.30 feet to the southeast corner of Tax Lot #3701;

Thence West 50.00 feet to the southwest corner of Tax Lot #3701;

Thence continuing West 50.00 feet to the southwest corner of Tax Lot #3700;

Thence North 126.30 feet to the northwest corner of Tax Lot #3700, said northwest corner also being located on the south right-of-way line of Hansen Lane;

Thence continuing North 40.00 feet to the north right-of-way line of Hansen Lane;

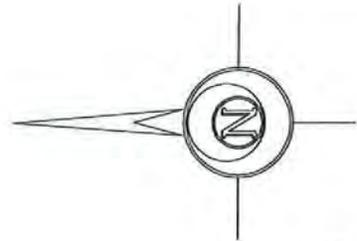
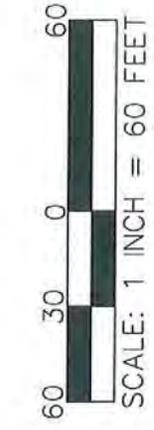
Thence along the north right-of-way line of Hansen Lane, East 259.29 feet +/- to a point on the westerly right-of-way line of River Road, said point being perpendicular to and 95.00 feet opposite centerline station 21+61.75;

Thence South 46°03'19" East 57.64 feet to the point of beginning, all in Lane County, Oregon and containing 23,832 square feet (.55 acres) of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017



SITE PLAN FOR PROPOSED
ANNEXATION OF TAX LOTS
#3700, #3701 AND A
PORTION OF HANSEN LANE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Handwritten signature]

OREGON
JULY 15, 2003
KENT BAKER
#59885

RENEWS: 12-31-2017

Roberts Surveying, Inc.
P.O. Box 7155
Springfield, Oregon 97475
Bus. (541) 345-1112

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:
Joseph and Paula Forzano, Georg Birns

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

17-04-25-21, Tax Lot 3700

17-04-25-21, Tax Lot 3701

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:

There is an 8 in. pipe that serves Hansen Lane and connects to another pipe on River Road.

_____ will be served by an extension or 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? There is an existing stormwater system on River Road.

If no, how will stormwater be handled after development? -
Stormwater will be handled by extending the existing public line on River Road to the subject property on Hansen Lane prior to or during 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. The lots are located on Hansen Lane and has immediate access to River Road, a major arterial.

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

(For more information, contact the City of Eugene Public Works staff at (682-6004).)

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:

Maurie Jacobs Park is within a half mile of the property. The property also has almost immediate access to the Willamette River and the adjoining multi-use paths that provide access to Eugene and Springfield.

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. There is a 6 inch

CI pipe that runs along Hansen Lane.

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.



PLANNING RECEIPT

DATE 5/6/2016

City of Eugene Planning

Method of Payment

- Cash
- Check
- Visa/MC

Customer Information

Name Joseph & Paula Forzano
 Address
 Project Forzano Property

Amount Received

\$5,155.70

#	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	Fire Review Fee						
	Other						
	Other						
	Appeal						
	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

Attachment C

DUPLICATE RECEIPT DUPLICATE RECEIPT

=====

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:3-0003460 May 06 2016
CASHIER: DMB

=====

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

TOTAL DUE: \$5,155.70

RECEIVED FROM:
JOSEPH FORZANO

Check: \$5,155.70

Total tendered: \$5,155.70

Change due: \$.00

=====

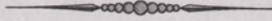
www.eugene-or.gov/bldgpermittracking

=====

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

=====

DUPLICATE RECEIPT DUPLICATE RECEIPT



COUNCIL RESOLUTION NO. 4903

**A RESOLUTION AMENDING THE
ADMINISTRATIVE GUIDELINES
FOR ANNEXATIONS ADOPTED BY
RESOLUTION NO. 4358 OF THE
CITY COUNCIL.**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

RECUSED:

CONSIDERED: April 11, 2007

RESOLUTION NO. 4903

A RESOLUTION AMENDING THE ADMINISTRATIVE GUIDELINES FOR ANNEXATIONS ADOPTED BY RESOLUTION NO. 4358 OF THE CITY COUNCIL.

The City Council of the City of Eugene finds that:

A. Administrative Guidelines for Annexation Proposals (the Guidelines) were adopted by Resolution No. 4358 of the City Council on January 25, 1993. The Guidelines, which were attached as Exhibit A to Resolution No. 4358 were adopted as City policy to be utilized, together with such other criteria as may be required under state law and adopted City policy, in the formation, processing and adjudication of annexation proposals.

B. Copies of Resolution 4358, including its Exhibit A, were forwarded to the City's Planning Commission, Planning and Development Department and other affected City departments to ensure the Guidelines were considered and evaluated in the processing and development of annexation proposals to be initiated before the Lane County Local Government Boundary Commission.

C. The second paragraph under the Annexation Initiation and Formation Guidelines section of the Guidelines sets forth the conditions under which property owner initiated annexation requests should be expanded to include road rights-of-way or public land. The City Council has directed that the city manager halt the practice of adding right-of-way to annexation requests in the River Road/Santa Clara area where such additions would create islands of unincorporated properties, and the Guidelines should be amended to explicitly recognize this direction.

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, which are hereby adopted, the lead sentence for the second paragraph under the Annexation Initiation and Formation Guidelines section of the Guidelines attached as Exhibit A to Resolution No. 4358 is amended by revising and adding language to read as follows:

“Under any of the following conditions property owner initiated annexation requests may be expanded to include road rights-of-way or public land except where adding right of way would create islands of unincorporated properties in the River Road/Santa Clara area.”

Section 2. The City Recorder is requested to append a copy of this Resolution to Resolution No. 4358, and to forward copies to the City's Planning Commission, Planning and Development Department, Lane County Local Government Boundary Commission, and other affected agencies or departments.

Section 3. Except as herein amended, all other provisions of Resolution No. 4358, and the Administrative Guidelines for Annexations adopted therein, remain in full force and effect.

Section 4. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 11th day of April, 2007.



City Recorder

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Appointment to the Human Rights Commission

Meeting Date: July 25, 2016
Department: City Managers Office
www.eugene-or.gov

Agenda Item Number: 2E
Staff Contact: Michael Kinnison
Contact Telephone Number: 541-682-5009

ISSUE STATEMENT

The City Council will consider the appointment of one member to the Human Rights Commission and the opening of a process to recruit new members.

BACKGROUND

Each year, the council makes appointments to boards, committees and commissions. The process to recruit candidates for boards, committees and commissions ran from January 19, 2016, to March 31, 2016. City Council appointed three new people to the Human Rights Commission on June 11, 2016.

On June 21, 2016, the Human Rights Commission received the resignation of Phil Carrasco, Position 9, opening a mid-term appointment set to expire on June 30, 2018. It recommends that the City Council appoint the remaining candidate who was interviewed during the council recruitment process, Joel Iboa, to fill this vacancy. Mr. Iboa was listed as the Human Rights Commission's top-ranked candidate for appointment in April.

Eugene Code 2.270 sets an aspirational goal for makeup of the Human Rights Commission: "Appointments will strive to bring balance that reflects the community and has protected class representation." The appointment of Mr. Iboa would address this aspiration by bringing age and racial diversity to the current membership of the commission.

Additionally, a Human Rights Commissioner, Position 2, has moved out of the Urban Growth Boundary and is no longer eligible to serve. In order to generate a robust pool of applicants to choose from, staff intends to reopen the application process to solicit new applications and will present the council with options to fill this vacancy after summer break.

RELATED CITY POLICIES

The boards, committees and commissions serve as advisory bodies to the City Council in the development of various City policies.

COUNCIL OPTIONS

The City Council may:

1. Appoint the candidate recommended by the Human Rights Commission, Joel Iboa, to fill Position 9.
2. Nominate another candidate for Position 9 from the remaining pool of applicants.
3. Leave the position vacant in order to solicit additional candidates.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item. Recommendations are made by the Human Rights Commission.

SUGGESTED MOTION

Move to appoint Joel Iboa to Position 9 of the Human Rights Commission for the remainder of a three-year term ending on June 30, 2018.

ATTACHMENTS

- A. Application for Joel Iboa

FOR MORE INFORMATION

Staff Contact: Michael Kinnison
Telephone: 541-682-5009
Staff E-Mail: michael.j.kinnison@ci.eugene.or.us



Interested Applicants

InterestedApplicants

7/19/2016 9:41:48 AM

Human Rights Commission

Name **Joel A. Iboa**
 Address **410 Clark St.**
Eugene OR 97401
 Occupation **Environmental Justice Manager**
 Business Address **1192 Lawrence St.**
Eugene OR 97401

Optional Information

Gender **M** Age **19-25** Ethnicity **Hispanic**
 Additional Languages spoken **Spanish**

Education / Training

Graduated from UO in 2014. Majored in Sociology with an emphasis on crime and delinquency as well as a minor in anthropology. My education has prepared me to be able to understand how many human rights issues have affected our city

Community Service / Volunteer

I volunteer with the Civil Liberties Defense Center as Know Your Rights Facilitator. These trainings provide the tools communities need to keep themselves safe from police misconduct. Including homeless, youth, immigrant, and activist folks.

Evening Phone **541-514-7270** Day Phone **541-465-8860**
 Do You Live within the City Limits? **Y** If so how long? **24**
 Ward **7** Neighborhood **Whiteaker Community Council**
 Employer **Beyond Toxics**
 Fax E-Mail **jiboa@beyondtoxics.org**
 How did you learn of this vacancy? **Word of Mouth**

Disability **Y** Description
English

Job Experience

I Work for Beyond Toxics as the Environmental Justice Manager. I support West Eugene and other EJ Communities unjustly affected by toxic waste in their community. We also protect workers from chemical exposure

Personal Experience

My parents both are from Mexico. In the past 20 years Eugene and greater Lane County has experienced an explosion of Latino immigrants. Eugene needs to stay committed to providing an inclusive and welcoming city for all of our residents.



Interested Applicants

InterestedApplicants

7/19/2016 9:41:48 AM

Personal Interest

in addition to my parents living in this area I have over 30 relatives in the area that are residing here. I have interest in increasing economic opportunities for underserved residents, opportunities for additional participation from residents in civic matters, having clear stances on what the city thinks is right and wrong, continuing to foster livable cities free from hateful speech and actions from our citizens. this includes keeping businesses and city institutions accountable when it comes to issues of inclusion and exclusion.

- 1 How does your employment, volunteer experience or personal experience prepare you to do the work of a Human Rights Commissioner? Please be specific.

I currently work for Beyond Toxics as the Environmental Justice and Community Outreach Manager. My role is to support West Eugene and other Environmental justice communities disproportionately affected by toxic waste in their community. In addition to advocating for these communities I am also interested in protecting the rights of workers and limiting their exposure to toxic chemicals in the workplace. Everyone deserves to live and work in a safe and healthy environment. I was also a part of group called MEChA in my undergrad here at the University of Oregon. We functioned to highlight and elevate the issues affecting Latinos city, county, state, and nation wide. I held positions as External and Political Director ensuring our Chapter was keeping up do date with political and community issues affecting Latinos. as an organizer and advocate for social change I have worked closely with the planning department and Planning commission to ensure environmental justice in the clear lake overlay zone that is being expanded to for industrial use.

Contribution

I am hoping to provide a more nuanced view of our city as my networks are less traditional than most. many of my peers and contact are familiar with local businesses and local leaders in specific neighborhoods. however many people I know are intimidated by city politics and are confused as to how to access our city resources. I hope to be a strong link between community members who feel isolated and in many ways oppressed by exclusionary practices our city and people continue to perpetuate. we need to stand tall in the face of hate and bigotry



Interested Applicants

InterestedApplicants

7/19/2016 9:41:48 AM

2 What do you see as the three most pressing human rights issues in Eugene? Select the most important and explain why.

Access to Social Services

Homelessness

Environmental Justice

Having lived in Eugene my whole life I have seen how my extended family has struggled to provide a meaningful and happy life to their children. Many parts of our city are greatly lacking in infrastructure and support. Both in the built environment as well social. Latinos are continuing to grow at a very fast rate in our city and I honestly feel that the city of Eugene could be doing a better job of supporting all of our residents but more specifically our Latino community. It manifests itself in many ways. Through equal access to information in peoples native language on our city of Eugene website. Encouraging our parks and recreation department to have better hiring practices when it comes to recruiting people of color to represent the city. This would ensure our city staff reflects the diversity we have in our city as well as to encourage more people to use our beautiful green spaces and recreation facilities. This is just one example of where I think the city of Eugene could be doing better. Access to social services the city provides is paramount to the City of Eugene's ability to achieve true social cohesion. We need more input from community members that have not traditionally been involved in major decisions we as a city make. Access to social services is a step in the right direction

3 Describe your specific strengths and weaknesses that would allow you to negotiate group situations in which members hold strong, differing opinions. Give a specific example if possible.

I have been told I am skilled in conflict resolution, diffusing situations, and keeping a clear head during high tensions. my weakness usually is I have tendency to be a task master. I become impatient when conversations go past their time. I value people having an opportunity to voice their opinion and concerns. this sometimes inhibits conversations that are necessary. MEChA had a board of 14. we had a lot to get through. during one meeting folks were arguing about where we would get for a dia de los muertos event. I reminded people that the conversation could be had during the planning meeting. in that way we got back at task. however I could also see others were interested in having that conversation then and then. there is a time and place for everything.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of Council Order Approving Amendment of the Stormwater User Fee Schedule and Repeal of Administrative Order Number 58-15-05-F

Meeting Date: July 25, 2016
Department: Public Works
www.eugene-or.gov

Agenda Item Number: 2F
Staff Contact: Mark Schoening
Contact Telephone Number: 541-682-5243

ISSUE STATEMENT

The Council is requested to adopt a Council Order approving amendment of the stormwater user fee schedule and repeal of Administrative Order 58-15-05-F.

BACKGROUND

On June 2, 2016, the City Council received information concerning the proposed Stormwater User Fee increase by Administrative Order 58-16-08-F. Unless a review is requested by a majority of the council, the decision adopting the amended fees would be final on the eleventh day after the order was signed (i.e., June 13, 2016).

At the June 8, 2016, work session, the City Council passed a motion to review the proposed stormwater fee increase before the rate changes would take effect.

At the July 11, 2016, work session, the City Council reviewed the proposed stormwater user fee increase and passed a motion affirming the increase.

RELATED CITY POLICIES

The Comprehensive Stormwater Management Plan, November 1993 provides the policy framework for an integrated stormwater management program balancing flood control and drainages services, protecting and enhancing water quality and protecting and enhancing natural resources.

Council Goal for Effective, Accountable Municipal Government - A government that works openly, collaboratively, and fairly with the community to achieve measurable and positive outcomes.

Council Goal for Fair, Stable and Adequate Financial Resources - A government whose ongoing financial resources are based on a fair and equitable system of revenues and are adequate to maintain and deliver municipal services

CITY MANAGER’S RECOMMENDATION

The City Manager recommends that the City Council adopt a Council Order approving amendment of the stormwater user fee schedule and repeal of Administrative Order 58-15-05-F.

SUGGESTED MOTION

Move to adopt a Council Order approving amendment of the stormwater user fee schedule and repeal of Administrative Order 58-15-05-F

ATTACHMENTS

- A. Council Order Approving Amendment of the Stormwater User Fee Schedule and Repeal of Administrative Order 58-15-05-F

FOR MORE INFORMATION

Staff Contact: Mark Schoening
Telephone: 541-682-5243
Staff E-Mail: mark.a.schoening@ci.eugene.or.us

**COUNCIL ORDER
of the
City Council of the City of Eugene**

**COUNCIL ORDER APPROVING AMENDMENT OF THE
STORMWATER USER FEE SCHEDULE AND REPEAL OF
ADMINISTRATIVE ORDER NO. 58-15-05-F.**

The City Council of the City of Eugene finds as follows:

A. Section 6.411 of the Eugene Code, 1971 (“EC”), authorizes the City Manager to determine and set fees and charges to be imposed by the City for wastewater service, regional wastewater service, and stormwater service. Pursuant to that authority, on May 4, 2015, the City Manager issued Administrative Order No. 58-15-05-F amending the Stormwater User Fee Schedule, which became effective and final on May 15, 2015, for bills issued on or after July 1, 2015.

B. In accordance with the provisions of EC 6.411, on April 1, 2016, the City Manager issued Administrative Order No. 58-16-08, proposing to amend the Stormwater User Fee Schedule that had been established by Administrative Order No. 58-15-05-F. The current and proposed stormwater user fees were set out in the Notice attached as Exhibit A to Administrative Order No. 58-16-08. The Notice provided that written comments would be received for a period of ten days from the first date of publication, and that comments would also be received at the public hearing to be held in the Public Works Engineering Les Lyle conference room, 99 E. Broadway, 4th floor, Eugene, Oregon 97401, on April 27, 2016, at 2 p.m.

C. The Notice was provided to the Mayor and City Councilors, the news media, any person who had requested such notice, and to interested governmental agencies (including the United States Environmental Protection Agency, the Department of Environmental Quality, MWMC, and the Eugene Water & Electric Board), and was made available for inspection at the offices of the Public Works Department, 101 E. Broadway, Suite 400, Eugene, Oregon 97401, during normal business hours. In addition, the Notice was posted at two locations at City Hall on April 15, 2016, and published in the Register Guard Newspaper on April 16 and 17, 2016.

D. In response to the Notice of proposed amendments, one person submitted written comments, and four people provided comments at the public hearing held on April 27, 2016. No changes were made to the Fee Schedule as a result of the comments received.

E. Pursuant to EC 6.411(1), the amended charges were determined after conducting an investigation of the revenue needs of the City in providing the stormwater services. Based on that investigation and the applicable criteria set out in EC 6.411(2), the City Manager found that the amended Stormwater User Fee Schedule attached as Exhibit A to Administrative Order No. 58-16-08 should be implemented and, on June 2, 2016, issued Administrative Order No. 58-16-08-F establishing the amended fees effective for all bills issued on or after July 1, 2016.

F. Pursuant to EC 6.411(1)(f), on June 2, 2016, copies of Administrative Order No. 58-16-08-F were sent to the Mayor and City Councilors with direction that, at the request of a majority of City Councilors made prior to June 13, 2016, review the City Manager's decision approving the fee amendments could be requested.

G. At the City Council work session held on June 8, 2016, a majority of the members of the City Council requested a review of the City Manager's decision to increase stormwater user fees.

H. At the City Council work session on July 11, 2016, the City Council reviewed Administrative Order No. 58-16-08-F, and the fees amended by that Order, solely on the basis of the administrative record before the City Manager. The City Council voted to approve amendment of the Stormwater User Fee Schedule effective for all bills issued on or after September 1, 2016.

I. In accordance with EC 6.411(1)(f), the City Council makes the following findings and conclusions regarding the standards set forth in EC 6.411(2):

- (a) The amount charged for the services in the past. The user fee increases represents a 7.5 percent increase in the amount charged in Administrative Order 58-15-05-F, the current administrative order for stormwater user fees.
- (b) Applicable federal and state regulations. Stormwater user fees support stormwater programs developed to assure City compliance with the National Pollutant Discharge Elimination System and Total Maximum Daily Load programs under the federal Clean Water Act and the Underground Injection Control program under the federal Safe Drinking Water Act.
- (c) Amounts charged by the City of Springfield and other such service providers for comparable services. A review of stormwater user fees charged by the City of Springfield and other service providers was conducted. The City of Eugene stormwater user fees are within the ranges of fees charged by other service providers.
- (d) The revenue needs for costs related to local and regional sewerage facilities. Not applicable to stormwater user fees. Only applicable to local and regional wastewater fees.
- (e) Special surcharge rates for stormwater customer discharging stormwater at extraordinary expense to the City. Not applicable to stormwater user fees. No customers discharge stormwater at an extraordinary expense to the City.
- (f) Other relevant adopted policies of the council. Council Goal for Fair, Stable, and Adequate Financial Resources – A government whose ongoing financial resources are based on a fair and equitable system of revenues and are adequate to maintain and deliver municipal services.

- (g) The terms of any applicable intergovernmental agreement relating to stormwater. Not applicable. An intergovernmental agreement with Lane County for the provision of stormwater services within the Urban Transition Area provides for full cost recovery and does not affect stormwater user fees for city customers.
- (h) Obtaining equity between different classes of ratepayers. The stormwater user fee methodology is based upon measured impervious areas to assure equity between different classes of rate payers.
- (i) The value of the use and occupancy of the City's right-of-way by the City stormwater system. The stormwater user fee methodology accounts for the impervious areas of the City's public right-of-way and the value of the use is equitably distributed amongst the different classes of ratepayers.

On the basis of these findings, the City Council orders that:

1. The amendments to the Stormwater User Fee Schedule attached as Exhibit A to this Order are approved.
2. This Order shall become effective upon signature.
3. Notwithstanding the effective date of this Order as set forth above, the stormwater user fees attached as Exhibit A are established as the fees to be charged for the described services, effective for all bills issued on or after September 1, 2016.
4. Any unamended fees established by Administrative Order No. 58-15-05-F remain in full force and effect and are incorporated into the updated fee schedule attached as Exhibit A.
5. Administrative Order No. 58-15-05-F is repealed as of the effective date of the fees attached as Exhibit A to this Order.
6. Copies of this Order shall be mailed to all interested parties and to persons who submitted comments on the proposed amendments.

It is so ordered this ____ day of July, 2016.

Greg Evans
City Council President

STORMWATER USER FEE SCHEDULE

(Effective for all bills issued on or after September 1, 2016)

Stormwater User fees are the sum of charges for impervious surface, street-related run-off and an administrative fee. The three categories of “residential” fees all refer to single-family dwellings, and are described as follows:

1. Small Residential Customer. Building footprint is equal to or less than 1,000 square feet.
2. Medium Residential Customer. Building footprint is greater than 1,000 square feet and less than 3,000 square feet.
3. Large Residential Customer. Building footprint is 3,000 square feet or greater.

All users other than single family homes and duplexes are included as Commercial/Industrial.

The fee for a duplex is calculated as follows: The administrative portion of the fee is based on a single residential account; the street-related portion of the fee is twice the amount for a single family dwelling; and the charge for impervious surface is the same as for a single-family dwelling if the duplex has a vertical configuration and twice that rate if the duplex has a horizontal configuration.

The term “per 1,000 sf” refers to square foot of impervious surface area.

	Small Residential	Medium Residential	Large Residential	Commercial/Industrial
Impervious Surface:	\$7.04	\$11.34	\$3.91 per 1,000 sf	\$3.91 per 1,000 sf
Street-Related:	\$1.95	\$1.95	\$1.95	\$1.38 per 1,000 sf
Administrative:	\$0.58	\$0.58	\$1.82	\$1.82
Total Monthly Fee:	\$9.57	\$13.87	Varies	Varies

<u>Application Fees:</u>	Current Fees	Proposed Fees
Reduction or Elimination of Discharge	\$150.00	\$150.00
Reduction of Impervious Area:		
Small or Medium Residential Customer	\$ 50.00	\$ 50.00
General Customer	\$100.00	\$100.00

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Use of Community Development Block Grant Funds for Human Service Capital Facilities

Meeting Date: July 25, 2016
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 2G
Staff Contact: Stephanie Jennings
Contact Telephone Number: 682-5529

ISSUE STATEMENT

City Council is asked to approve the use of Community Development Block Grant (CDBG) funds to support four human service capital facility program projects that address the needs of people experiencing homelessness and other special needs populations.

BACKGROUND

Through Eugene-Springfield 2015 Consolidated Plan, the City of Eugene established goals and strategies for the use of CDBG funds to benefit low-income people. Among other goals, the 2015 Consolidated Plan set a target of investing in 15 human service capital facilities over a five-year period. This goal responds to the need for improvements to the facilities that serve people experiencing homelessness, special needs populations, and other low-income persons. Eligible facilities include day access centers, emergency shelter, and short-term transitional housing. The intent is to preserve and enhance existing facilities and expand the overall capacity of the human services system. This use of CDBG funds compliments the use of CDBG and City funds provided to support human service operations through the Lane County Human Services Commission.

Each year, the City Council approves the allocation of federal funds from the U.S. Department of Housing and Urban Development (HUD) through a One-Year Action Plan. From time to time, Council also approves programming of federal funds among projects and programs to facilitate timely use of CDBG funds or to address critical needs. On April 25, Council approved the Action Plan for FY17 including \$202,300 for human service capital facility projects. Council also approved reallocation of \$798,538 in previously received CDBG funds for human service capital facility projects. This established a funding pool of \$1,000,838 for the human service capital facility projects. Staff worked closely with the Eugene CDBG Advisory Committee to develop both of the allocation recommendations approved by Council.

The following AIS identifies four proposed projects to utilize the combined funding allocated to the human services capital facilities program. These projects were identified through an open Request for Proposals (RFP) process, vetted by an Evaluation Committee, and reviewed by the Eugene CDBG Advisory Committee.

The RFP invited agencies to submit applications for projects that included acquisition, construction and/or rehabilitation to preserve or expand an existing facility or support a new facility. All applicants were required to demonstrate they have adequate funding to support the operations of the facility.

Staff released an RFP in January and received six applications of which five were determined to be eligible for CDBG funds based on federal requirements. CDBG-eligible project proposals were received from Catholic Community Services, Head Start, Looking Glass, as well as two proposals from ShelterCare. All proposals sought funds to preserve existing day access centers or short-term transitional housing facilities. All but one proposal are for facilities that have been adapted from other uses including two motels, an auto dealership, and a school. The proposals include several roof replacements, two kitchen renovations including freezer/cooler combination units, HVAC and other reconfigurations of space to better suit programs and security.

Staff worked closely with an Evaluation Committee composed of four people, including two CDBG Advisory Committee members (John Barofsky and Tina Ely), Mark Whitmill (Eugene Building Official), and Kathy Grey (an EWEB energy management professional). Tina Ely is a registered architect and John Barofsky was able to offer expertise on commercial kitchens. The Evaluation Committee and staff reviewed the proposals, conducted site visits to each facility, and developed initial recommendations for project eligibility and scope that informed the CDBG allocation process.

The Evaluation Committee and staff determined that each project was needed and viable but additional work was necessary to refine scopes of work and project budgets. Staff and agencies have completed this additional due diligence. In addition, EWEB has stepped forward as a partner and prepared custom commercial incentive packages for each project. These incentives will not only supplement limited CDBG funds but will also support improvements that will lower monthly building operating costs for the agencies over time.

Staff recommends funding for four projects including: Whiteaker School (Head Start of Lane County), the Eugene Service Center (Catholic Community Services), McKay Lodge (Looking Glass) and the Medical Respite Program (ShelterCare). A proposed budget for each project is provided in Attachment A and an overview of each facility and the proposed improvements are provided in Attachment B. Collectively, these projects address critical repairs to preserve or increase the capacity of existing facilities that provide food to low-income persons, access to early learning programs for low-income families, medical respite care for homeless persons, and transitional housing for homeless youth. Through mutual agreement with the agency, it has been determined that the fifth project proposed by ShelterCare is a better fit with the City's CDBG Rental Rehabilitation loan program.

Staff will directly oversee the bidding, contractor selection, construction process working in partnership with the agencies. This ensures compliance with multiple CDBG requirements and allows agencies to continue to focus on providing services.

RELATED CITY POLICIES

In addition to the Eugene-Springfield 2015 Consolidated Plan, the proposed reallocation supports the Diversity and Equity Strategic Plan, the Lane County Ten Year Plan to End Chronic Homelessness, the Lane County Continuum of Care Plan and aligns with the City's Sustainable and Climate Action Goals.

COUNCIL OPTIONS

The City Council has two options:

1. Approve use of CDBG funds to support four projects and project delivery costs as shown in Attachment A.
2. Decline to approve use of CDBG funds for identified projects.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approval for use of CDBG funds as described in Option 1.

SUGGESTED MOTION

Move to approve use of CDBG funds as described in Option 1.

ATTACHMENTS

- A. Proposed CDBG Human Service Capital Facilities Project Budget
- B. Human Service Capital Facilities Project Descriptions
- C. CDBG Advisory and Evaluation Committee Members

FOR MORE INFORMATION

Staff Contact: Stephanie Jennings, Grants Manager
Telephone: 682-5529
Staff E-Mail: stephanie.a.jennings@ci.eugene.or.us

Proposed CDBG Human Service Capital Facilities Project Budget

Uses

Catholic Community Services: Eugene Community Service Center	168,200
Head Start for Lane County: Whiteaker School	250,000
Looking Glass: Stepping Stone Program at McKay Lodge	424,638
ShelterCare: Homeless Medical Recuperation Facility	108,000
Program Delivery	50,000
Total	\$1,000,838

CDBG Human Service Capital Facilities Program Project Descriptions

Projects

- Catholic Community Services: Eugene Community Service Center
- Head Start for Lane County: Whiteaker School
- Looking Glass: Stepping Stone Program at McKay Lodge
- ShelterCare: Homeless Medical Recuperation Program



Eugene Community Service Center

Catholic Community Services—1464 West 6th Ave.

Services Provided

Catholic Community Services (CCS) served 10,556 people at the Eugene Service Center in 2015 including individuals and families experiencing homelessness, low income people, un/underemployed people, and families with children. This facility is the largest distributor of food boxes among 150 Food for Lane County partners. Last year, over \$1 million in emergency energy assistance was provided at this location. CCS also provides emergency housing vouchers for homeless families, rapid-rehousing, and housing counseling at The Eugene Service Center.



Proposed Improvements

CCS requests CDBG funding to replace the walk-in freezer/cooler, improve the building exterior, accessibility, and energy efficiency.

- **Walk-in Freezer/Cooler** - The existing freezer is in constant need of repairs, costly to operate, and cannot be used for refrigeration. This limits CCS' capacity to accept and distribute fresh food. The installation of a walk-in freezer/cooler will enable CCS food pantry to receive and distribute significantly larger amounts of healthy fresh produce and other perishable and frozen food items.
- **Accessibility** - At present, the entrance of this facility is difficult for people using wheelchairs as well as families with strollers. Installation of wider electric doors will improve accessibility.
- **Energy Efficiency Improvements**— Outdated windows and light fixtures are a source of significant energy loss, particularly during the cold weather months. Energy efficient windows and lights will provide greater comfort for community members seeking services and also reduce ongoing operating costs.
- **Exterior Improvements**— Installation of wider awning on the exterior of the building will provide shelter for community members waiting in line for services. New paint will preserve the exterior surface of the building and improve the appearance.

Community Impact - The improvements proposed will increase the longevity, comfort and accessibility of this critical community resource, reduce ongoing operating costs and allow for expanded food pantry and self sufficiency programs.

Proposed CDBG Grant Amount—\$168,200



Whiteaker School

Head Start of Lane County - 21 N. Grant St.

Services Provided

At the Whiteaker School, Head Start serves a diverse population of 199 low and extremely low income children and their families including 47 children. At this location, Head Start provides early childhood education (birth to 5), 4000 meals per month, family education, and other supports to children and their families. The Whiteaker School facility is also utilized by other community agencies including: Huerto de la Familia, Amigos multicultural services, ShelterCare Homeless Liaison, Willamette Dental, and Whiteaker Community Council.



Proposed Improvements

Head Start requests funding to replace the roof and repair underlying damage, renovate and expand the kitchen facilities and upgrade security to the building.

- **Roof Repairs** - Roof replacement is proposed due to the failing roof and associated gutters. The viability and longevity of the building will be preserved by roof replacement and remediation of the dry rot and mold damage that has already occurred. The expense of attempting these repairs in a piecemeal fashion is less effective and more costly. Total roof failure could necessitate temporarily closing the whole facility and interrupting programming.
- **Kitchen Renovation**- At present, the kitchen space and equipment is inadequate for the high volume of use. CDBG Funding would allow for kitchen rehabilitation, expansion and installing a new refrigerator/freezer. This will enable current and expanded food services both for Head Start and other community uses such as the Whiteaker Free Community Thanksgiving.
- **Security** - Installation of exterior security cameras will deter vandalism and improve the safety of the building which can be difficult to secure due to its size and multiple entrance points.

Community Impact

The proposed improvements will prevent ongoing, costly piecemeal roof repairs and associated water damage, and keep this critical community building working at full capacity for years to come for Head Start of Lane County and other essential community organizations serving Whiteaker area residents.

Proposed CDBG Grant Amount - \$250,000



McKay Lodge - Stepping Stone Program

Looking Glass - 2517 Martin Luther King, Jr. Blvd

Services Provided

Looking Glass Community Services operates the Stepping Stone Program at McKay Lodge. This program serves 35 male, juvenile ex-offenders annually. All of these youth are repeat offenders with significant behavioral health issues. Stepping Stone provides housing, meal service and access to an array of human services such as behavioral healthcare and education. Of clients who successfully complete the program, 80% are released to a lower level of care in the community.



Proposed Improvements

Looking Glass requests CDBG funding to replace an aging roof and HVAC system, improve technology and security, improve interior walls and provide exterior lighting for recreational areas.

- **Kitchen Renovation** – Deterioration of the kitchen has resulted from heavy use and low grade materials. Proposed work includes installing industrial grade cabinetry and counter-top surfaces, flooring, ceiling tiles, and trim providing a sanitary, and durable kitchen.
- **Roof Replacement** – Roofing replacement are proposed to fix weather damage, moss growth and dry rot. This will maintain the structural integrity and cut repair costs.
- **HVAC Replacement**– High utility costs, expensive ongoing repairs and diminished heating and cooling capacity are resulting from the aging HVAC system. A new system will ensure a comfortable, healthy environment for residents and decrease ongoing operational expenses.
- **Interior Patching and Paint** – The interior walls are in poor repair. Patching and painting the walls will enhance the therapeutic environment by presenting a clean living space.

Community Impact – Proposed improvements will increase the functionality, safety, comfort, and longevity of this facility which meets the needs of particularly vulnerable youth. Receiving appropriate care, treatment and rehabilitation allows these young men the opportunity to transition out of the criminal justice system and be reintegrated productively into community.

Proposed CDBG Grant Amount - \$424,638



Homeless Medical Recuperation

ShelterCare –780 Highway 99 N.

Services Provided

ShelterCare operates 19 units of safe supportive emergency housing, including meals and wrap around services to people being discharged from hospitals who would otherwise be homeless. People may stay for 30-60 days, allowing medically fragile people to be stabilized in an environment conducive to recuperation and connected to appropriate services. Residents are given a private furnished bedroom and access to shared bathroom and living facilities.



Proposed Improvements

ShelterCare requests CDBG funding to replace the roof, repair and paint the exterior surface and install HVAC heating and cooling in the food storage room.

- **Roof Replacement** – The existing roof is aging and the materials are deteriorating. Replacing the roof will maintain the integrity of the building, extending its life, and also reduce ongoing repair costs.
- **Stucco Repair/Painting** – The building is 70 years old. The exterior stucco on the building is damaged and in need of repair to maintain the integrity of the structure and provide comfort for the residents. Repairing and painting the stucco will extend the life of the building, improve the appearance and reduce the need for ongoing repairs.
- **HVAC/Insulation** – The food storage room currently has insufficient heating and cooling. Insulating and properly heating and cooling the room with an HVAC system will enhance the ability to prepare and serve meals and extend the life of the existing refrigerators and freezers stored in the room, therefore reducing cost.

Community Impact - The proposed improvements will preserve and extend the life of a facility preventing people recovering from serious medical conditions from being released from the hospital directly into homelessness. This provides for appropriate follow up medical care and significantly decreases the likelihood of re-hospitalization and emergency room visits.

Proposed CDBG Grant Amount - \$108,000

CDBG Advisory Committee Members

John Barofsky
Aaron Box
Tina Ely
Chris Nunes
Brett Rowlett
Heather Sielicki
Jennifer Webster

Human Service Capital Facilities RFP Evaluation Committee Members

John Barofsky
Tina Ely
Kathy Grey
Mark Whitmill

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: Appoint Members to West Eugene Enterprise Zone Public Benefit Criteria Review Task Force

Meeting Date: July 25, 2016
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Amanda Nobel-Flannery
Contact Telephone Number: 541-682-5535

ISSUE STATEMENT

This is an action item to review the Mayor's nominations to the West Eugene Enterprise Zone Public Benefit Criteria Review Task Force. (See Attachment A for additional information about the community member nominees.)

BACKGROUND

The West Eugene Enterprise Zone (WEEZ) program offers a three-year property tax exemption for new capital investments made by qualified businesses within the designated area that increase their employment by at least 10 percent. In addition to meeting the State's job creation requirements, businesses in the WEEZ are also required to meet local criteria to maximize the public benefit created by the investments. Currently, the local Public Benefit Criteria include factors such as providing attractive wages, supporting small businesses, and adopting responsible construction practices. (See Attachment B for the criteria)

The criteria were last reviewed in 2005, with the previous redesignation of the Enterprise Zone. While considering the redesignation of the WEEZ on June 8, 2016, Council directed the City Manager to move forward with a process to convene a Task Force to update the WEEZ Public Benefit Criteria. The Task Force will convene this fall and be comprised of joint City/County membership, including:

- 2 City Councilors
- 2 Lane County Commissioners (Pat Farr and Faye Stewart)
- 2 Community members appointed by City Council
- 2 Community members appointed by Lane County Board of Commissioners

The Task Force application opportunity was advertised to a wide range of groups, including relevant Neighborhood Associations and business organizations. Lane County Board of Commissioners are undertaking a parallel process this month to appoint members to the Task Force.

COUNCIL OPTIONS

1. Appoint the Mayor's nominations for the Public Benefit Criteria Review Task Force.
2. Appoint other applicants or other Councilors.
3. Choose no applicants at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approval of the Mayor's recommendations and, by consent, appointment of the nominated individuals to the Public Benefit Criteria Review Task Force.

SUGGESTED MOTIONS

Move to appoint John Roberts, Jennifer McRaven and Councilors Claire Syrett and Chris Pryor to the Public Benefit Criteria Review Task Force.

ATTACHMENTS

- A. Applicant List
- B. Public Benefit Criteria Review Task Force Framework

Note: The community member applications are available in the council office for review.

FOR MORE INFORMATION

Staff Contact: Amanda Nobel-Flannery
Telephone: 541-682-5535
Staff E-Mail: Amanda.NobelFlannery@ci.eugene.or.us

West Eugene Enterprise Zone Public Benefit Criteria Review Task Force – Applicant List

Applicants	Notes
Brent McLean	Commercial Real Estate Broker, Eugene Industrial Real Estate, LLC; previously bricklayer, masonry contractor; Northeast Neighbors resident
Clark Rasche	Attorney, Watkinson Laird Rubenstein PC; pro tem Creswell municipal judge; Springfield resident, works in Downtown Eugene
Clayton Walker	Real Estate, CW Walker and Associates; Cal Young Neighborhood resident
Glen Gibbons	Owner, Gibbons Media and Research LLC (Publishing); former president of NEDCO; Harlow Neighborhood resident
Greg Ringer	Courtesy Professor/Planning Consultant, University of Oregon; Downtown Eugene resident
Jennifer McRaven	Consultant; interest in West Eugene; Farwest Neighborhood resident
John Roberts	Lawyer, Arnold Gallagher PC; Southeast Eugene resident
Leigh Anne Hogue	Director of Economic Development, Eugene Chamber of Commerce; Cal Young Neighborhood resident
Raymond Hardman	IT Consultant, FusionStorm; River Road Neighborhood resident
Ronald Wade	Retired, VP Real Estate Consulting Firm, Property Management; Planning Commissioner; Harlow Neighborhood resident
Rowland Scheibner	Retired, trucker, heavy equipment operator, welding instructor; Trainsong Neighborhood resident

West Eugene Enterprise Zone Public Benefit Criteria Review Committee Framework

The West Eugene Enterprise Zone is a program designed to encourage job creation by offering a property tax exemption for qualified business investments. Businesses who qualify for the property tax exemption based on the state's job creation criteria are also required to meet certain local public benefit criteria. These include:

- Attractive wages;
- Employer-provided benefits;
- Support for small businesses;
- Redevelopment of existing facilities
- Local referral agency hiring;
- Responsible construction goals; and
- Size of investment.

While considering redesignation of the West Eugene Enterprise Zone, City Council indicated there was a need to revisit the Public Benefit Criteria. The Criteria were last reviewed in 2006, with the previous redesignation of the Enterprise Zone. Council approved the redesignation, and authorized moving forward with the creation of this Committee, whose members are tasked with reviewing and making recommendations for modifications to the Criteria.

Committee Membership

The Review Committee will be comprised of joint City/County membership, including:

- 2 Eugene City Councilors
- 2 Lane County Commissioners
- 2 Community members appointed by Eugene City Council
- 2 Community members appointed by Lane County Board of Commissioners

The Mayor of Eugene will compile a list of individuals who have applied to the Review Committee and make recommendations for council consideration in July 2016.

Timeline

The Committee is tentatively scheduled to meet in the fall of 2016. The following timeline is preliminary and is subject to change:

- Committee members appointed (July)
- Meeting #1 – Review existing criteria, identify goals and data needed (September)
- Meeting #2 – Identification of possible criteria modifications (October)
- Meeting #3 – Review initial draft (October)
- Public Hearing (October/November)
- Meeting #4 – Finalize recommendations (November)
- City Council consideration of updated ordinance (November/December)
- Lane County Board of Commissioners consideration of updated ordinance (November/December)
- New Public Benefit Criteria effective for all new investments (January 2017)

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Concerning Imposition of a Three Percent Tax on the Retail Sales of Recreational Marijuana; Adding Provisions to the Eugene Code, 1971; Providing For an Effective Date; and Referring the Code Amendments to the Electors of the City at the November 8, 2016 Election

Meeting Date: July 25, 2016
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Glenn Klein
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

The council is asked to deliberate and consider taking action on an ordinance that would impose a tax on retail cannabis sales and that would be referred to voters.

BACKGROUND

Beginning July 1, 2017, the current state tax of 25 percent imposed on the retail sale of marijuana items will reduce to 17 percent. Under ORS 475B.345, cities may impose up to a 3 percent tax on sales of marijuana items made by those with recreational retail licenses by referring an ordinance to the voters at a statewide general election, meaning an election in November of an even-numbered year.

On July 18, 2016, the council held a Public Hearing on a proposed ordinance that would enact a local option marijuana tax of 3 percent. One person testified in opposition to the ordinance. If adopted by Council, the ordinance would appear on the November 2016 ballot and would become effective only if approved by voters. If approved by voters, the ordinance could take effect in 2017.

Election-Related Issues

If council adopts the proposed ordinance and the legislation is referred to the November ballot, several election-related decisions will need to be made.

Voters' Pamphlet: Eugene Code requires the City Manager to publish and distribute a local voters' pamphlet for elections in which a city measure is on the ballot. A proponent committee comprised of up to three City Councilors must be selected to write the argument in support of the ballot measure. Members of the opponent committee will be recruited and selected according to Code requirements.

The time required for printing a pamphlet and preparing it for mailing are set by production schedules of mailing services and commercial printers. Pamphlet content and deadlines for its

preparation and mailing are established by Eugene Code 2.993 through 2.997. To meet these deadlines, council action is needed at the July 25 meeting.

Production of a voters' pamphlet is not a regularly budgeted item and thus requires a request for additional funds. Production costs, including mailing, for the voters' pamphlets the past few years have averaged between \$20,000 and \$25,000. Taking into account increased costs for postage and labor, staff estimates that this pamphlet will cost approximately \$25,000.

Election Costs: Because this ordinance is being referred to the November 2016 general election ballot, there are no costs for placing this item on the ballot.

RELATED CITY POLICIES

A local marijuana tax would contribute to the Council Goal of Fair, Stable and Adequate Resources.

COUNCIL OPTIONS

The council has the option to adopt or decline to adopt the proposed ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTIONS

Move to adopt Council Bill 5156, an ordinance concerning imposition of a three percent tax on the retail sales of recreational marijuana.

If ordinance is adopted:

Move to appoint Councilors _____, _____, and _____ to the voters' pamphlet proponent committee for the Retail Cannabis Sales Tax.

Move to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to produce a voters' pamphlet.

ATTACHMENTS

A. Proposed Ordinance

FOR MORE INFORMATION

Staff Contact: Glenn Klein
Telephone: 541-682-5010

ORDINANCE NO. _____

AN ORDINANCE CONCERNING IMPOSITION OF A THREE PERCENT TAX ON THE RETAIL SALES OF RECREATIONAL MARIJUANA; ADDING PROVISIONS TO THE EUGENE CODE, 1971; PROVIDING FOR AN EFFECTIVE DATE; AND REFERRING THE CODE AMENDMENTS TO THE ELECTORS OF THE CITY AT THE NOVEMBER 8, 2016 ELECTION.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 3.700, 3.702, 3.704, 3.706, 3.708, and 3.710 of the Eugene Code, 1971, are added to provide as follows:

Retail Tax on Marijuana Items

3.700 **Retail Tax on Marijuana Items - Definitions.** The following words and phrases as used in this Chapter shall have the following meanings:

City Manager. The city manager or the city manager's designee.

Tax Administrator. The person designated by the city manager.

Consumer. A person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.

Marijuana item. Marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts as defined in ORS 475B.015.

Marijuana retailer. A person licensed under ORS 475B.110 who sells marijuana items to a consumer in the State of Oregon.

Person. Individuals, corporations, associations, firms, partnerships, limited liability companies and joint stock companies.

Retail sale price. The total consideration paid to a marijuana retailer for a marijuana item by or on behalf of a consumer, excluding any tax.

3.702 **Retail Tax on Marijuana Items - Tax Imposed.** The city hereby imposes a tax on each marijuana item sold to a consumer within the city by a marijuana retailer. The tax shall equal three percent of the retail sale price for each marijuana item sold.

3.704 **Retail Tax on Marijuana Items - Collection.** The consumer shall pay the tax to the marijuana retailer at the time of the purchase or sale of the marijuana item. Every marijuana retailer shall collect the tax from the consumer at the time of the sale of a marijuana item. The marijuana retailer shall remit the tax to the tax administrator.

- 3.706 Retail Tax on Marijuana Items - Accounting and Records.** Every marijuana retailer must keep, preserve and make available to the tax administrator detailed records of all sales made and all taxes collected consistent with administrative regulations adopted by the city manager pursuant to section 2.019 of this code.
- 3.708 Retail Tax on Marijuana Items - Penalties and Interest.** The city manager shall adopt administrative rules pursuant to section 2.019 of this code to specify the amount of penalties and interest that a retailer must pay if the retailer fails to timely remit any tax imposed by this code. The amount of penalties and interest established by administrative regulation shall be consistent with comparable provisions of state law.
- 3.710 Retail Tax on Marijuana Items - Appeal.** Any person aggrieved by any decision of the tax administrator under this code may appeal the decision in the manner provided in section 2.021 of this code. The appeal shall be heard and determined as provided in section 2.021 of this code.

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 3. The provisions of Section 1 of this Ordinance shall not become effective unless approved by the electors of the City of Eugene at the City election to be held concurrently with the statewide election on November 8, 2016.

Section 4. If approved by the electors of the City of Eugene at the November 8, 2016 City election, this Ordinance shall become effective on January 1, 2017.

Passed by the City Council this

_____ day of July, 2016.

City Recorder

Approved by the Mayor this

_____ day of July, 2016.

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing and Possible Action: An Ordinance Concerning Climate Recovery and Amending Sections 6.675 and 6.685 of the Eugene Code, 1971

Meeting Date: July 25, 2016
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Ethan Nelson
Contact Telephone Number: (541) 682-5245

ISSUE STATEMENT

On June 27, 2016, the Eugene City Council approved a motion asking staff to bring back amendments to the existing Climate Recovery Ordinance to adopt performance benchmarks and targets related to fossil fuel usage and carbon neutrality in City operations, as well as adopt a target for the year 2100 to limit community wide greenhouse gas emissions. This item is a public hearing the Climate Recovery Ordinance and then City Council may choose to take action on the proposed ordinance.

BACKGROUND

The Climate Recovery Ordinance was adopted by Council in July 2014, and sets the following goals:

- a. By 2020, all city facilities and operations will be carbon neutral.
- b. By 2030, the city organization will reduce fossil fuel use by 50% from 2010 levels.
- c. By 2030, community-wide fossil fuel use will be reduced by 50% from 2010 levels.

Proposed Ordinance

The following goal is proposed for adoption in Section 6.675 (4) of the Eugene City Code:

By the year 2100, total community greenhouse gas emissions shall be reduced to an amount that is no more than the city of Eugene's proportionate share of a global atmospheric greenhouse gas level of 350 ppm, which is estimated in 2016 to require an annual average emission reduction level of 7.6%

Additionally, the following targets and benchmarks are proposed for adoption in Section 6.865 (1) of the Eugene City Code:

Goal	Target (in GHGs)	Benchmark
Carbon neutral operations	60% reduction from 2010 levels by 2020	<u>Annual</u> : 15% reduction per year <u>5 year</u> : 60% reduction by 2020

<i>Reduce fossil fuels 50%</i>	<i>50% reduction from 2010 levels by 2030.</i>	<i><u>Annual:</u> 2.5% reduction per year</i> <i><u>By 2020:</u> 25% reduction from 2010</i> <i><u>By 2025:</u> 38% reduction from 2010</i> <i><u>By 2030:</u> 50% reduction from 2010</i>
--------------------------------	--	---

COUNCIL OPTIONS

The Council can choose to adopt the proposed ordinance or not.

CITY MANAGER’S RECOMMENDATION

The City Manager recommends adopting the ordinance.

SUGGESTED MOTION

Move to adopt Council Bill 5157 and ordinance concerning climate recovery and amending sections 6.675 and 6.685 of the Eugene Code.

ATTACHMENTS

A. Proposed Climate Recovery Ordinance

FOR MORE INFORMATION

Staff Contact: Ethan Nelson
Telephone: (541) 682-5245
Staff E-Mail: ethan.a.nelson@ci.eugene.or.us

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING CLIMATE RECOVERY AND
AMENDING SECTIONS 6.675 AND 6.685 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 6.675, 6.680 and 6.685 of the Eugene Code, 1971, are amended to provide as follows:

6.675 **Climate Recovery – Climate Action Goals.** The city shall carry out the requirements of sections 6.680 through 6.690 of this code in order to achieve the following goals:

- (1) By the year 2020, all city-owned facilities and city operations shall be carbon neutral, either by reducing greenhouse gas emissions to zero, or, if necessary, by funding of verifiable local greenhouse gas reduction projects and programs or the purchase of verifiable carbon offsets for any remaining greenhouse gas emissions.
- (2) By the year 2030, the city organization shall reduce its use of fossil fuels by 50% compared to 2010 usage.
- (3) By the year 2030, all businesses, individuals and others living or working in the city collectively shall reduce the total (not per capita) use of fossil fuels by 50% compared to 2010 usage.
- (4) ***By the year 2100, total community greenhouse gas emissions shall be reduced to an amount that is no more than the city of Eugene's proportionate share of a global atmospheric greenhouse gas level of 350 ppm, which is estimated in 2016 to require an annual average emission reduction level of 7.6%***

6.685 **Climate Recovery – Targets & Benchmarks.** To reach the climate action goals, the city council [~~shall establish numerical~~] ***adopts the*** targets and benchmarks ***contained in subsection (1) of this section***, and ***the city will*** take other actions that the council determines are necessary, for achieving the [~~required reductions through the following steps:~~] ***targets, benchmarks and other climate action goals.***

- (1) [~~Within 12 months of August 29, 2014, the city manager shall propose for adoption by the city council the following targets and benchmarks:~~
 - (a) ~~Numerical greenhouse gas and fossil fuel reduction targets equivalent to achieving the related goals; and~~
 - (b) ~~Two-year and five-year benchmarks for reaching the numerical targets.~~]

Targets and benchmarks:

Goal	Target (in GHGs)	Benchmark
Carbon neutral operations	60% reduction from 2010 levels by 2020	<u>Annual:</u> 15% reduction per year <u>5 year:</u> 60% reduction by 2020
Reduce fossil fuels 50%	50% reduction from 2010 levels by 2030.	<u>Annual:</u> 2.5% reduction per year <u>By 2020:</u> 25% reduction from 2010 <u>By 2025:</u> 38% reduction from 2010 <u>By 2030:</u> 50% reduction from 2010

- ~~[(2) The city manager shall propose for adoption by the city council, a numerical community wide goal or “carbon budget” for greenhouse gas emission reductions consistent with achieving 350 parts per million of CO₂ in the atmosphere by the year 2100. The community wide goal shall include numerical targets and associated benchmarks.]~~
- (32)** The city manager shall adopt administrative rules pursuant to section 2.019 of this code that establish a specified baseline amount and appropriate greenhouse gas inventory methodology.
- (43)** When the city manager prepares options for council consideration pursuant to this section, including options for meeting the goals, the manager shall include a triple bottom line assessment of the options including a cost-benefit analysis.

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

_____ day of July, 2016

Approved by the Mayor this

_____ day of July, 2016

City Recorder

Mayor