

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 00-12-6-9

-) **In the Matter of Approving Amendments to**
-) **Intergovernmental Agreements with the**
-) **Cities of Eugene and Springfield Regarding**
-) **the Transfer of Land Use and Building**
-) **Regulations Within the Urban Growth**
-) **Boundaries to Provide for a Process to**
-) **Review Claims Made Pursuant to Article I,**
-) **Section 18(a) through (f) of the Oregon**
-) **Constitution.**

WHEREAS, on October 9, 1986 the City of Springfield and Lane County entered into an agreement regarding the transfer of building and land use responsibilities within the urbanizable area of the Eugene Urban Growth Boundary, and

WHEREAS, on May 7, 1987 the City of Eugene and Lane County entered into an agreement regarding the transfer of building and land use responsibilities within the urbanizable area of the Eugene Urban Growth Boundary; and

WHEREAS, those agreements have been amended previously on December 1, 1986 (Springfield), July 6, 1987 (Eugene) and July 28, 1999 (Springfield and Eugene); and


WHEREAS, on November 7, 2000, the electors of the State of Oregon voted to adopt amendments to Article I, Section 18 of the Oregon Constitution (Measure 7); and

WHEREAS, on November 27, 2000, the Eugene City Council adopted an ordinance amending Chapter 2 of the Eugene Code, 1971, to establish a process to enable property owners to present claims under the Measure 7 amendments to Article I, Section 18 of the Oregon Constitution; and

WHEREAS, on December 4, 2000, the Springfield City Council adopted an ordinance amending Chapter 2 of the Springfield Code, 1971, to establish a process to enable property owners to present claims under the Measure 7 amendments to Article I, Section 18 of the Oregon Constitution.

NOW, THEREFORE, IT IS HEREBY ORDERED that amendments to the land use and building urban transition agreements with Springfield and Eugene be amended to provide for city review and action on claims made pursuant to Article I, Section 18(a) through (f) of the Oregon Constitution and the County Administrator be authorized to sign amendments substantially similar to those attached as Exhibit "A" and "B" and incorporated here by this reference.

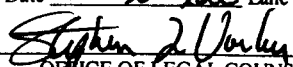
DATED this 6th day of December, 2000.



Chair Lane County Board of Commissioners

APPROVED AS TO FORM

Date 11 - 30 - 2000 Lane County


OFFICE OF LEGAL COUNSEL

AMENDMENT III

TO AGREEMENT REGARDING THE TRANSFER OF BUILDING AND LAND USE RESPONSIBILITIES WITHIN THE URBANIZABLE PORTION OF THE SPRINGFIELD, OREGON URBAN GROWTH BOUNDARY ENTERED INTO BETWEEN LANE COUNTY AND THE CITY OF SPRINGFIELD

RECITALS:

WHEREAS, on October 9, 1986 Lane County, a political subdivision of the State of Oregon (COUNTY) and the City of Springfield, an Oregon Municipal Corporation (CITY) entered into an agreement regarding the transfer of building and land use responsibilities within the urbanizable (urban transition) portion of the Springfield Urban Growth Boundary (AGREEMENT); and

WHEREAS, Amendment I amended that AGREEMENT on December 1, 1986; and

WHEREAS, Amendment II amended that AGREEMENT on July 28, 1999, to implement the Glenwood Transition Agreement, entered into by the Cities of Eugene and Springfield and Lane County on December 18, 1998, by revising the definition of "Springfield Urban Growth Boundary Area" to include the area known as Glenwood; and

WHEREAS, on November 7, 2000, the electors of the State of Oregon voted to adopt amendments to Article I, Section 18 of the Oregon Constitution; and

WHEREAS, on December 4, 2000, the Springfield City Council adopted an ordinance amending Chapter 2 of the Springfield Code, 1971, to establish a process in Springfield Municipal Code Section 2.900 et. seq. to enable property owners to present claims under the Measure 7 amendments to Article I, Section 18 of the Oregon Constitution and that ordinance constitutes a regulation as that term is used in Article III, section A.4. and Article IV, section A.2 of the AGREEMENT.

NOW THEREFORE as authorized by ORS 190.003 et. seq. and as provided in Article VII of the AGREEMENT, it is hereby agreed as follows:

1. Article III B. of said Agreement shall be amended by adding a new subsection 6 to read as follows:

"6. Process and make decisions on property owner claims made pursuant to the November 7, 2000 voter approved amendments to Article I, Section 18 of the Oregon Constitution."

2. Article IV B. of said Agreement shall be amended by adding a new subsection 10 to read as follows:

"10. Process and make decisions on property owner claims made pursuant to the November 7, 2000 voter approved amendments to Article I, Section 18 of the Oregon Constitution."

3. All other terms and conditions of the original AGREEMENT, as previously amended, shall remain in full force and effect.

In witness whereof the authorized representative of COUNTY and CITY as parties hereto, acting pursuant to the authority granted to them have

Hereby Agreed:

This _____ day of
_____,
2000

William A. VanVactor
County Administrator, Lane County

Michael A. Kelly
City Manager, City of Springfield

AMENDMENT III

TO AGREEMENT REGARDING THE TRANSFER OF BUILDING AND
LAND USE RESPONSIBILITIES WITHIN THE URBANIZABLE PORTION
OF THE EUGENE, OREGON URBAN GROWTH BOUNDARY ENTERED
INTO BETWEEN LANE COUNTY AND THE CITY OF EUGENE

RECITALS:

WHEREAS, on May 7, 1987 Lane County, a political subdivision of the State of Oregon (COUNTY) and the City of Eugene, an Oregon Municipal Corporation (CITY) entered into an agreement regarding the transfer of building and land use responsibilities within the urbanizable (urban transition) portion of the Eugene Urban Growth Boundary (AGREEMENT); and

WHEREAS, Amendment I amended that AGREEMENT on July 6, 1987; and

WHEREAS, Amendment II amended that AGREEMENT on July 28, 1999, to implement the Glenwood Transition Agreement, entered into by the Cities of Eugene and Springfield and Lane County on December 18, 1998, by revising the definition of "Eugene Urban Growth Boundary Area" to exclude the area known as Glenwood; and

WHEREAS, on November 7, 2000, the electors of the State of Oregon voted to adopt amendments to Article I, Section 18 of the Oregon Constitution; and

WHEREAS, on November 27, 2000, the Eugene City Council adopted an ordinance amending Chapter 2 of the Eugene Code, 1971, to establish a process to enable property owners to present claims under the Measure 7 amendments to Article I, Section 18 of the Oregon Constitution and that ordinance constitutes a regulation as that term is used in Article III, section A.1. and Article IV, section A.1 of the AGREEMENT.

NOW THEREFORE as authorized by ORS 190.003 et. seq. and as provided in Article VIII of the AGREEMENT, it is hereby agreed that Article III: Building Services to be Transferred, Section B of said AGREEMENT shall be amended by adding a new subsection 6 to read as follows:

- "6. Process and make decisions on property owner claims made pursuant to the November 7, 2000 voter approved amendments to Article I, Section 18 of the Oregon Constitution."

It is further agreed that Article IV: Land Use Services to be Transferred, Section B of said AGREEMENT shall be amended by adding a new subsection 7 to read as follows:

"7. Process and make decisions on property owner claims made pursuant to the November 7, 2000 voter approved amendments to Article I, Section 18 of the Oregon Constitution."

All other terms and conditions of the original AGREEMENT, as previously amended, shall remain in full force and effect.

In witness whereof the authorized representative of COUNTY and CITY as parties hereto, acting pursuant to the authority granted to them have

Hereby Agreed:

This ____ day of _____, 2000

William A. VanVactor
County Administrator, Lane County

James R. Johnson
City Manager, City of Eugene